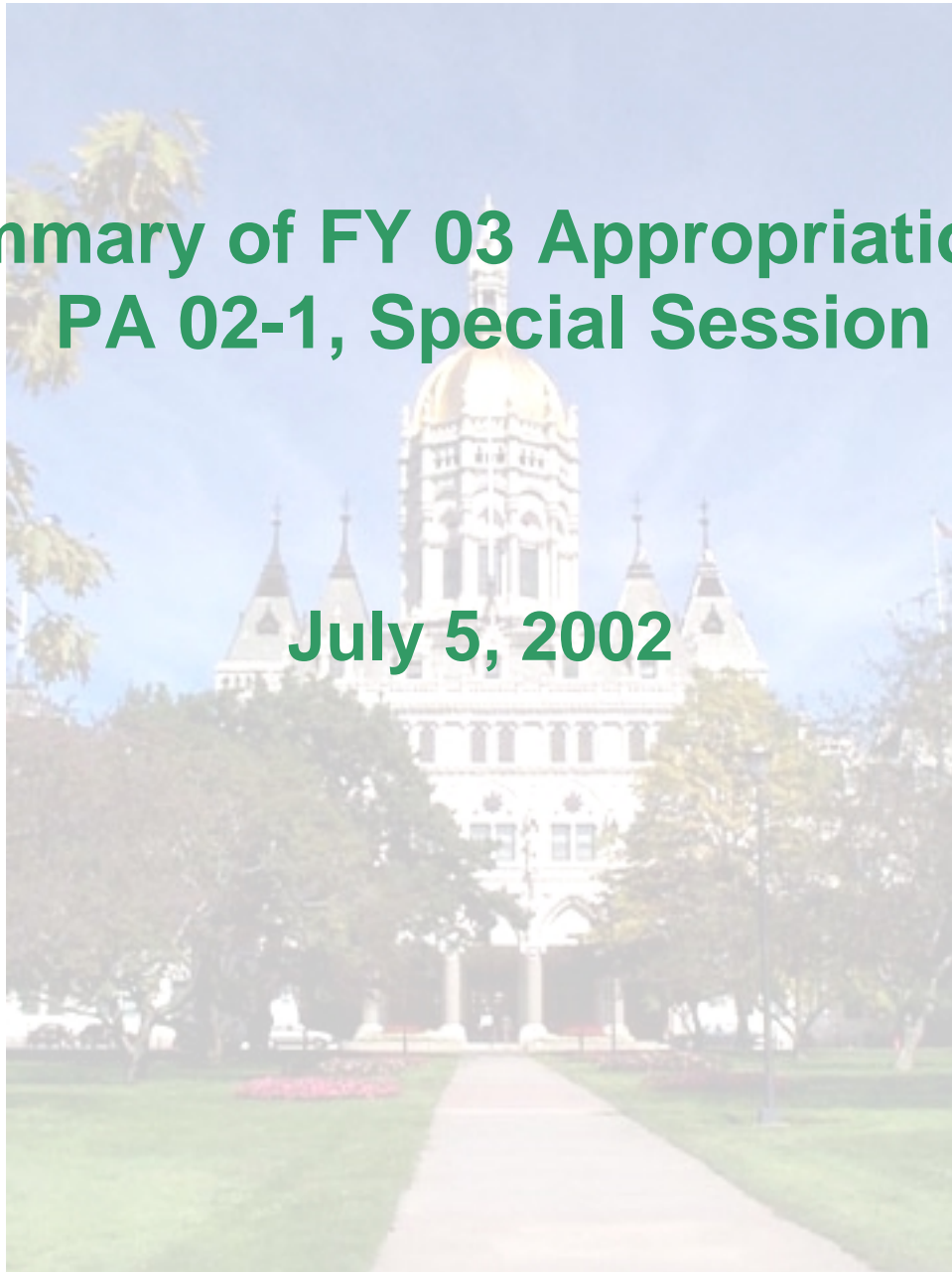


**Connecticut General Assembly**  
**OFFICE OF FISCAL ANALYSIS**

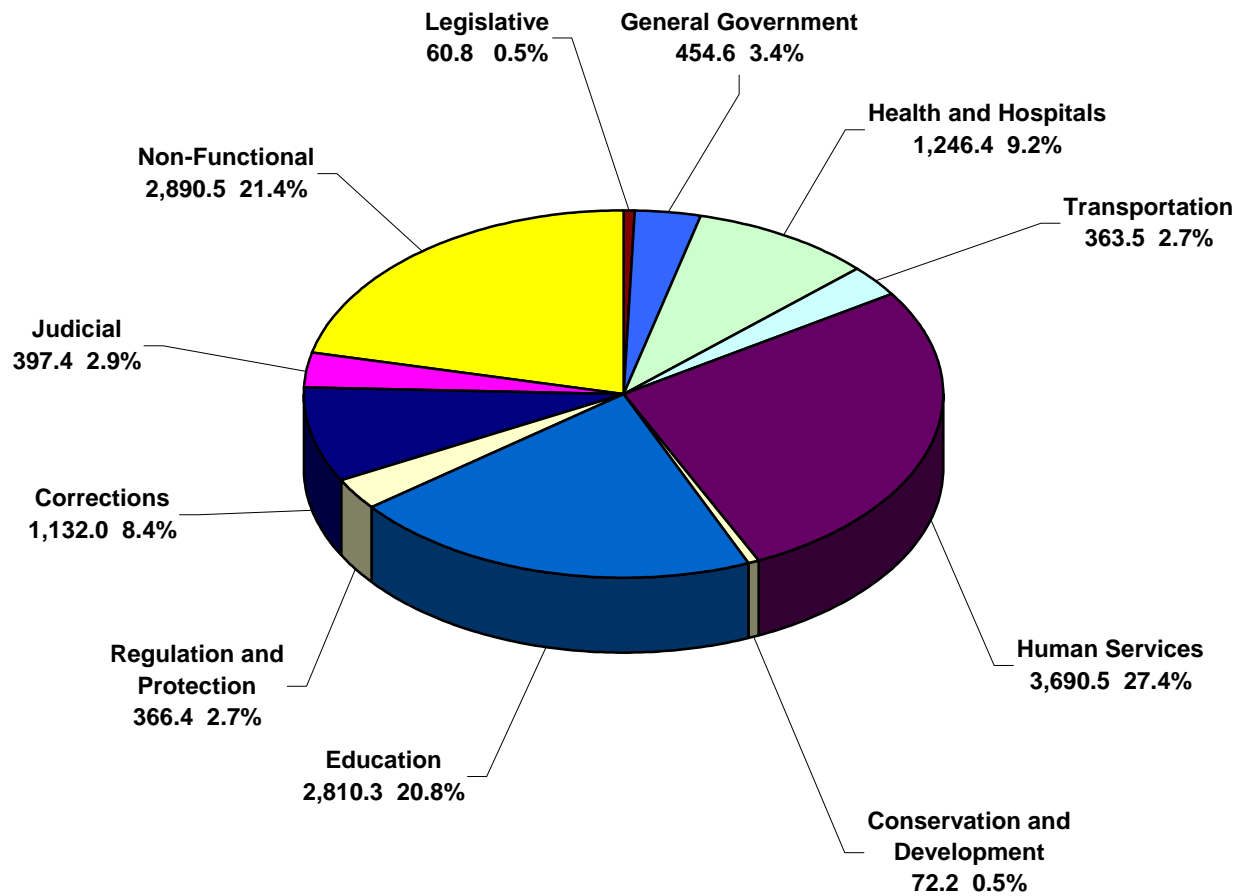
**Summary of FY 03 Appropriations  
PA 02-1, Special Session**

**July 5, 2002**



# APPROPRIATIONS (ALL APPROPRIATED FUNDS)

FY 03 Gross \$13,484.7 Million  
FY 03 Net \$13,217.8 Million



**SUMMARY OF BUDGET CHANGES  
TO THE GOVERNOR'S REVISED FY 03 BUDGET**

	<b>Actual Expenditure FY 01</b>	<b>Estimated Expenditure FY 02</b>	<b>Orig/Rev Appropriation FY 03</b>	<b>Governor's Recommended Revised FY 03</b>	<b>Revised Appropriation FY 03</b>	<b>Difference Revised Appropriation from Gov.</b>
<b>General Fund</b>						
Legislative	55,406,311	57,877,837	63,219,911	63,219,911	60,763,089	-2,456,822
General Government	511,429,846	445,500,641	472,983,797	465,439,247	451,927,930	-13,511,317
Regulation and Protection	205,867,429	225,123,959	231,691,087	234,313,183	228,942,785	-5,370,398
Conservation and Development	83,654,027	70,149,488	79,612,781	73,219,004	71,393,931	-1,825,073
Health and Hospitals	1,092,361,094	1,207,232,071	1,267,092,879	1,260,618,316	1,246,367,411	-14,250,905
Transportation	34,856,862	35,000,000	35,000,000	35,000,000	0	-35,000,000
Human Services	3,537,461,922	3,524,221,042	3,659,820,806	3,696,000,205	3,687,360,024	-8,640,181
Education Museums Libraries	3,007,413,098	2,760,361,460	2,897,302,162	2,826,463,520	2,810,341,509	-16,122,011
Corrections	999,052,062	1,081,402,221	1,137,673,296	1,148,400,736	1,132,048,320	-16,352,416
Judicial	338,568,077	379,721,870	399,161,360	399,479,113	395,926,003	-3,553,110
Non-Functional	1,998,475,243	2,177,372,203	2,294,672,885	2,290,513,370	2,258,632,701	-31,880,669
<b>General Fund Total Gross</b>	<b>11,864,545,971</b>	<b>11,963,962,792</b>	<b>12,538,230,964</b>	<b>12,492,666,605</b>	<b>12,343,703,703</b>	<b>-148,962,902</b>
Adjustments	90,264,600	0	0	0	0	0
Legislative Unallocated Lapses	0	0	-1,200,000	-2,400,000	-2,400,000	0
Estimated Unallocated Lapses	0	0	-78,000,000	-78,000,000	-172,000,000	-94,000,000
General Personal Services Reduction	0	0	-13,500,000	-13,500,000	-13,500,000	0
General Other Expenses Reductions	0	0	-11,000,000	-11,000,000	-11,000,000	0
Extraordinary Governor's Recision Authority	0	0	0	0	-35,000,000	-35,000,000
Hard Freeze - Executive & Judicial Branch	0	0	0	0	-7,000,000	-7,000,000
Executive & Judicial Branch Manager & Confidential						
Wage Freeze	0	0	0	0	-11,000,000	-11,000,000
DOIT Lapse	0	0	-1,500,000	0	0	0
Energy Costs	0	0	-1,650,000	0	0	0
<b>General Fund Total Net</b>	<b>11,954,810,571</b>	<b>11,963,962,792</b>	<b>12,431,380,964</b>	<b>12,387,766,605</b>	<b>12,091,803,703</b>	<b>-295,962,902</b>
<b>Special Transportation Fund</b>						
General Government	2,127,275	2,252,000	2,457,000	2,457,000	2,457,000	0
Regulation and Protection	53,514,648	52,352,108	54,809,221	54,721,880	54,721,880	0
Transportation	327,044,499	319,331,049	335,797,897	338,568,316	363,499,316	24,931,000
Non-Functional	461,379,044	481,062,162	499,244,660	497,483,968	497,483,968	0
<b>Special Transportation Fund Total Gross</b>	<b>844,065,466</b>	<b>854,997,319</b>	<b>892,308,778</b>	<b>893,231,164</b>	<b>918,162,164</b>	<b>24,931,000</b>
Adjustments	-17,733,634	0	0	0	0	0
Estimated Unallocated Lapses	0	0	-15,000,000	-15,000,000	-15,000,000	0
<b>Special Transportation Fund Total Net</b>	<b>826,331,832</b>	<b>854,997,319</b>	<b>877,308,778</b>	<b>878,231,164</b>	<b>903,162,164</b>	<b>24,931,000</b>
<b>Mashantucket Pequot &amp; Mohegan Fund</b>						
Non-Functional	130,094,559	135,000,000	120,000,000	135,000,000	134,220,000	-780,000
<b>Soldiers, Sailors and Marines' Fund</b>						
General Government	152,975	247,500	247,500	247,500	247,500	0
Regulation and Protection	0	0	0	225,000	225,000	0
Human Services	2,937,528	3,133,691	3,216,137	3,162,214	3,162,214	0
<b>Soldiers, Sailors and Marines' Fund Total</b>	<b>3,090,503</b>	<b>3,381,191</b>	<b>3,463,637</b>	<b>3,634,714</b>	<b>3,634,714</b>	<b>0</b>
<b>Regional Market Operation Fund</b>						
Conservation and Development	617,711	715,383	757,345	786,617	786,617	0
Non-Functional	169,632	170,332	143,967	143,967	143,967	0
<b>Regional Market Operation Fund Total</b>	<b>787,343</b>	<b>885,715</b>	<b>901,312</b>	<b>930,584</b>	<b>930,584</b>	<b>0</b>
<b>Banking Fund</b>						
Regulation and Protection	13,105,275	14,970,204	15,774,759	15,933,944	15,933,944	0
<b>Insurance Fund</b>						
Regulation and Protection	18,598,817	21,487,530	21,665,676	21,301,122	21,301,122	0
<b>Consumer Counsel &amp; Public Util Control Fund</b>						
Regulation and Protection	17,769,427	20,430,233	21,243,192	21,001,963	21,001,963	0
<b>Workers' Compensation Fund</b>						
Regulation and Protection	20,771,887	23,407,061	24,736,793	24,279,354	24,279,354	0
<b>Criminal Injuries Compensation Fund</b>						
Judicial	1,628,283	1,500,000	1,500,000	1,500,000	1,500,000	0
<b>Grand Total Gross</b>	<b>12,914,457,531</b>	<b>13,040,022,045</b>	<b>13,639,825,111</b>	<b>13,609,479,450</b>	<b>13,484,667,548</b>	<b>-124,811,902</b>
Adjustments	72,530,966	0	0	0	0	0
Legislative Unallocated Lapses	0	0	-1,200,000	-2,400,000	-2,400,000	0
Estimated Unallocated Lapses	0	0	-93,000,000	-93,000,000	-187,000,000	-94,000,000
General Personal Services Reduction	0	0	-13,500,000	-13,500,000	-13,500,000	0
General Other Expenses Reductions	0	0	-11,000,000	-11,000,000	-11,000,000	0
Extraordinary Governor's Recision Authority	0	0	0	0	-35,000,000	-35,000,000
Hard Freeze - Executive & Judicial Branch	0	0	0	0	-7,000,000	-7,000,000
Executive & Judicial Branch Manager & Confidential						
Wage Freeze	0	0	0	0	-11,000,000	-11,000,000
DOIT Lapse	0	0	-1,500,000	0	0	0
Energy Costs	0	0	-1,650,000	0	0	0
<b>General Fund Total Net</b>	<b>12,986,988,497</b>	<b>13,040,022,045</b>	<b>13,517,975,111</b>	<b>13,489,579,450</b>	<b>13,217,767,548</b>	<b>-271,811,902</b>

**COMPARISON OF AGENCY APPROPRIATIONS IN PA 02-1, MSS  
TO THE ORIGINAL APPROPRIATION**

	Orig/Rev Appropriation FY 03	PA 02-1 MSS FY 03	Difference
<b>LEGISLATIVE</b>			
Legislative Management	51,732,935	49,953,334	-1,779,601
Auditors of Public Accounts	9,472,110	8,960,936	-511,174
Commission on the Status of Women	624,683	572,810	-51,873
Commission on Children	627,275	565,778	-61,497
Latino and Puerto Rican Affairs Commission	407,191	380,906	-26,285
African-American Affairs Commission	355,717	329,325	-26,392
<b>LEGISLATIVE TOTALS</b>			
General Fund	63,219,911	60,763,089	-2,456,822
<b>GENERAL GOVERNMENT</b>			
Governor's Office	2,833,223	2,574,603	-258,620
Secretary of the State	4,140,373	2,883,378	-1,256,995
Lieutenant Governor's Office	319,010	319,010	0
Elections Enforcement Commission	858,635	857,428	-1,207
Ethics Commission	905,125	903,529	-1,596
Freedom of Information Commission	1,341,952	1,340,078	-1,874
Judicial Selection Commission	110,510	110,510	0
State Properties Review Board	549,279	546,514	-2,765
State Treasurer	4,079,664	3,923,418	-156,246
State Comptroller	19,984,585	19,488,253	-496,332
Department of Revenue Services	63,546,048	62,699,490	-846,558
Division of Special Revenue	9,708,440	9,403,321	-305,119
State Insurance and Risk Management Board	9,295,775	9,726,363	430,588
State Insurance and Risk Management Board - TF	2,457,000	2,457,000	0
Gaming Policy Board	3,400	3,400	0
Office of Policy and Management	172,055,544	157,939,945	-14,115,599
Department of Veterans Affairs	29,161,628	28,721,045	-440,583
Department of Veterans Affairs - SF	247,500	247,500	0
Office of Workforce Competitiveness	5,240,969	4,111,902	-1,129,067
Department of Administrative Services	29,246,786	27,719,536	-1,527,250
Department of Information Technology	7,840,373	7,598,850	-241,523
Department of Public Works	41,103,846	41,307,353	203,507
Attorney General	27,997,409	27,778,239	-219,170
Office of the Claims Commissioner	386,036	404,461	18,425
Division of Criminal Justice	42,045,509	41,337,626	-707,883
Criminal Justice Commission	1,195	1,195	0
State Marshal Commission	228,483	228,483	0
<b>GENERAL GOVERNMENT TOTALS</b>			
General Fund	472,983,797	451,927,930	-21,055,867
Soldiers, Sailors and Marines' Fund	247,500	247,500	0
Special Transportation Fund	2,457,000	2,457,000	0
<b>Total General Government</b>	<b>475,688,297</b>	<b>454,632,430</b>	<b>-21,055,867</b>
<b>REGULATION AND PROTECTION</b>			
Department of Public Safety	142,338,330	145,327,571	2,989,241
Police Officer Standards and Training Council	2,709,933	2,651,707	-58,226
Board of Firearms Permit Examiners	104,617	104,617	0

	Orig/Rev Appropriation FY 03	PA 02-1 MSS FY 03	Difference
Department of Motor Vehicles - TF	54,809,221	54,721,880	-87,341
Military Department	6,902,100	6,200,111	-701,989
Military Department - SF	0	225,000	225,000
Commission on Fire Prevention and Control	2,449,321	2,436,528	-12,793
Department of Banking - BF	15,774,759	15,933,944	159,185
Insurance Department - IF	20,956,405	20,591,851	-364,554
Office of Consumer Counsel - PF	2,688,150	2,600,501	-87,649
Department of Public Utility Control - PF	18,555,042	18,401,462	-153,580
Office of the Managed Care Ombudsman - IF	709,271	709,271	0
Department of Consumer Protection	11,860,317	11,549,695	-310,622
Labor Department	54,012,276	49,681,118	-4,331,158
Labor Department - WF	706,810	706,810	0
Office of Victim Advocate	246,082	290,132	44,050
Commission on Human Rights and Opportunities	7,521,775	7,168,779	-352,996
Office of Protection and Advocacy for Persons with Disabilities	2,905,702	2,839,184	-66,518
Office of the Child Advocate	640,634	693,343	52,709
Workers' Compensation Commission - WF	24,029,983	23,572,544	-457,439
<b>REGULATION AND PROTECTION TOTALS</b>			
General Fund	231,691,087	228,942,785	-2,748,302
Banking Fund	15,774,759	15,933,944	159,185
Insurance Fund	21,665,676	21,301,122	-364,554
Consumer Counsel & Public Util Control Fund	21,243,192	21,001,963	-241,229
Workers' Compensation Fund	24,736,793	24,279,354	-457,439
Soldiers, Sailors and Marines' Fund	0	225,000	225,000
Special Transportation Fund	54,809,221	54,721,880	-87,341
<b>Total Regulation and Protection</b>	<b>369,920,728</b>	<b>366,406,048</b>	<b>-3,514,680</b>
<b>CONSERVATION AND DEVELOPMENT</b>			
Department of Agriculture	5,547,319	5,150,495	-396,824
Department of Agriculture - RF	757,345	786,617	29,272
Department of Environmental Protection	39,977,203	40,270,910	293,707
Council on Environmental Quality	136,095	136,095	0
Connecticut Historical Commission	1,216,513	677,621	-538,892
Department of Economic and Community Development	26,388,083	18,860,711	-7,527,372
Agricultural Experiment Station	6,347,568	6,298,099	-49,469
<b>CONSERVATION AND DEVELOPMENT TOTALS</b>			
General Fund	79,612,781	71,393,931	-8,218,850
Regional Market Operation Fund	757,345	786,617	29,272
<b>Total Conservation and Development</b>	<b>80,370,126</b>	<b>72,180,548</b>	<b>-8,189,578</b>
<b>HEALTH AND HOSPITALS</b>			
Department of Public Health	79,248,408	75,528,304	-3,720,104
Office of Health Care Access	3,155,148	2,867,875	-287,273
Office of the Chief Medical Examiner	4,876,352	4,858,477	-17,875
Department of Mental Retardation	721,995,202	724,733,487	2,738,285
Department of Mental Health and Addiction Services	457,503,027	438,064,526	-19,438,501
Psychiatric Security Review Board	314,742	314,742	0
<b>HEALTH AND HOSPITALS TOTALS</b>			
General Fund	1,267,092,879	1,246,367,411	-20,725,468

	Orig/Rev Appropriation FY 03	PA 02-1 MSS FY 03	Difference
<b>TRANSPORTATION</b>			
Department of Transportation	35,000,000	0	-35,000,000
Department of Transportation - TF	335,797,897	363,499,316	27,701,419
<b>TRANSPORTATION TOTALS</b>			
General Fund	35,000,000	0	-35,000,000
Special Transportation Fund	335,797,897	363,499,316	27,701,419
<b>Total Transportation</b>	<b>370,797,897</b>	<b>363,499,316</b>	<b>-7,298,581</b>
<b>HUMAN SERVICES</b>			
Department of Social Services	3,659,820,806	3,687,360,024	27,539,218
Soldiers, Sailors and Marines' Fund - SF	3,216,137	3,162,214	-53,923
<b>HUMAN SERVICES TOTALS</b>			
General Fund	3,659,820,806	3,687,360,024	27,539,218
Soldiers, Sailors and Marines' Fund	3,216,137	3,162,214	-53,923
<b>Total Human Services</b>	<b>3,663,036,943</b>	<b>3,690,522,238</b>	<b>27,485,295</b>
<b>EDUCATION MUSEUMS LIBRARIES</b>			
Department of Education	2,024,891,186	2,004,785,884	-20,105,302
Board of Education and Services for the Blind	15,865,442	15,909,778	44,336
Commission on the Deaf and Hearing Impaired	1,184,271	1,131,786	-52,485
State Library	14,792,755	13,925,510	-867,245
Department of Higher Education	50,619,039	45,787,660	-4,831,379
University of Connecticut	203,860,050	193,667,047	-10,193,003
University of Connecticut Health Center	76,290,687	74,289,811	-2,000,876
Charter Oak State College	1,979,263	2,370,239	390,976
Teachers' Retirement Board	230,017,330	194,042,469	-35,974,861
Regional Community - Technical Colleges	131,544,991	125,484,034	-6,060,957
Connecticut State University	146,257,148	138,947,291	-7,309,857
<b>EDUCATION MUSEUMS LIBRARIES TOTALS</b>			
General Fund	2,897,302,162	2,810,341,509	-86,960,653
<b>CORRECTIONS</b>			
Department of Correction	546,147,530	542,001,800	-4,145,730
Board of Pardons	34,241	34,241	0
Board of Parole	10,238,561	10,562,155	323,594
Department of Children and Families	574,911,006	573,678,213	-1,232,793
Council to Administer the Children's Trust Fund	6,341,951	5,771,904	-570,047
County Sheriffs	7	7	0
<b>CORRECTIONS TOTALS</b>			
General Fund	1,137,673,296	1,132,048,320	-5,624,976
<b>JUDICIAL</b>			
Judicial Department	364,490,332	361,395,990	-3,094,342
Judicial Department - CF	1,500,000	1,500,000	0
Public Defender Services Commission	34,671,028	34,530,013	-141,015
<b>JUDICIAL TOTALS</b>			
General Fund	399,161,360	395,926,003	-3,235,357
Criminal Injuries Compensation Fund	1,500,000	1,500,000	0
<b>Total Judicial</b>	<b>400,661,360</b>	<b>397,426,003</b>	<b>-3,235,357</b>

	Orig/Rev Appropriation FY 03	PA 02-1 MSS FY 03	Difference
<b>NON-FUNCTIONAL</b>			
Miscellaneous Appropriations to the Governor	17,100	17,100	0
Debt Service - State Treasurer	1,060,161,318	1,023,378,039	-36,783,279
Debt Service - State Treasurer - RF	143,967	143,967	0
Debt Service - State Treasurer - TF	418,206,121	414,608,531	-3,597,590
Reserve for Salary Adjustments	34,046,700	24,818,018	-9,228,682
Reserve for Salary Adjustments - TF	1,454,600	3,264,400	1,809,800
Workers' Compensation Claims - Department of Administrative Services	10,819,776	12,515,640	1,695,864
Workers' Compensation Claims - Department of Administrative Services - TF	3,347,639	3,374,737	27,098
Judicial Review Council	155,854	155,854	0
Fire Training Schools	389,390	388,165	-1,225
Maintenance of County Base Fire Radio Network	21,850	21,850	0
Maintenance of Statewide Fire Radio Network	14,570	14,570	0
Equal Grants to Thirty-Four Non-Profit General Hospitals	34	34	0
Police Association of Connecticut	169,100	166,563	-2,537
Connecticut State Firefighters Association	197,676	194,711	-2,965
Interstate Environmental Commission	86,250	84,956	-1,294
Reimbursements to Towns for Loss of Taxes on State Property	63,778,364	64,959,215	1,180,851
Mashantucket Pequot and Mohegan Fund Grant - MF	120,000,000	134,220,000	14,220,000
Reimbursements to Towns for Loss of Taxes on Private Tax-Exempt Property	97,163,154	100,931,737	3,768,583
Unemployment Compensation	3,340,000	3,340,000	0
Unemployment Compensation - TF	275,000	275,000	0
State Employees Retirement Contributions	285,694,490	285,694,490	0
State Employees Retirement Contributions - TF	40,214,000	40,214,000	0
Higher Education Alternative Retirement System	16,634,046	16,634,046	0
Pensions and Retirements-Other Statutory	1,765,000	1,765,000	0
Judges and Compensation Commissioners Retirement	10,125,658	10,125,658	0
Insurance - Group Life	4,179,615	4,179,615	0
Insurance - Group Life - TF	240,000	240,000	0
Tuition Reimbursement - Training and Travel	490,000	1,899,500	1,409,500
Employers Social Security Tax	183,170,428	183,795,428	625,000
Employers Social Security Tax - TF	13,432,000	13,432,000	0
State Employees Health Service Cost	289,980,512	291,280,512	1,300,000
State Employees Health Service Cost - TF	22,075,300	22,075,300	0
Retired State Employees Health Service Cost	232,272,000	232,272,000	0
<b>NON-FUNCTIONAL TOTALS</b>			
General Fund	2,294,672,885	2,258,632,701	-36,040,184
Mashantucket Pequot & Mohegan Fund	120,000,000	134,220,000	14,220,000
Regional Market Operation Fund	143,967	143,967	0
Special Transportation Fund	499,244,660	497,483,968	-1,760,692
<b>Total Non-Functional</b>	<b>2,914,061,512</b>	<b>2,890,480,636</b>	<b>-23,580,876</b>
<b>GRAND TOTALS</b>			
General Fund	12,538,230,964	12,343,703,703	-194,527,261
Banking Fund	15,774,759	15,933,944	159,185
Insurance Fund	21,665,676	21,301,122	-364,554
Consumer Counsel & Public Util Control Fund	21,243,192	21,001,963	-241,229
Workers' Compensation Fund	24,736,793	24,279,354	-457,439
Mashantucket Pequot & Mohegan Fund	120,000,000	134,220,000	14,220,000
Soldiers, Sailors and Marines' Fund	3,463,637	3,634,714	171,077
Regional Market Operation Fund	901,312	930,584	29,272
Criminal Injuries Compensation Fund	1,500,000	1,500,000	0
Special Transportation Fund	892,308,778	918,162,164	25,853,386
<b>GRAND TOTAL</b>	<b>13,639,825,111</b>	<b>13,484,667,548</b>	<b>-155,157,563</b>



**House Bill No. 6002**

**May 9 Special Session, Public Act No. 02-1**

**AN ACT CONCERNING ADJUSTMENTS TO THE STATE BUDGET  
FOR THE BIENNIUM ENDING JUNE 30, 2003, STATE REVENUES  
AND OPERATING A MOTOR VEHICLE WHILE UNDER THE  
INFLUENCE OF INTOXICATING LIQUOR.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (*Effective from passage*) The following sums are appropriated for the purposes herein specified for the fiscal year ending June 30, 2002:

SPECIAL TRANSPORTATION FUND	
MISCELLANEOUS APPROPRIATIONS	
ADMINISTERED BY THE COMPTROLLER	
Reserve for Salary Adjustments	4,600,000
 TOTAL	 4,600,000
SPECIAL TRANSPORTATION FUND	

Sec. 2. (*Effective from passage*) The sum of \$650,000 appropriated to the Office of Policy and Management from the General Fund, for Private Provider Infrastructure/Debt Fund, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (1) of said

**House Bill No. 6002**

section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Information Technology, for Other Expenses.

Sec. 3. (*Effective from passage*) (a) The sum of \$1,900,000 appropriated to the Office of Policy and Management from the General Fund, for Private Provider Infrastructure/Debt Fund, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (1) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Information Technology, for Health Insurance Portability & Accountability.

(b) The funds transferred to the Department of Information Technology in subsection (a) of this section, for Health Insurance Portability & Accountability, shall not lapse on June 30, 2002, and shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

(c) The funds transferred to the Department of Information Technology, in subsection (a) of this section, for Health Insurance Portability & Accountability, may be transferred by said department to state agencies requiring funds for such purpose.

Sec. 4. (*Effective from passage*) The sum of \$200,000 appropriated to the Department of Education from the General Fund, for School Construction, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Military Department, for Personal Services.

Sec. 5. (*Effective from passage*) The sum of \$20,000 appropriated to the Department of Education from the General Fund, for School

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Construction, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Military Department, for Other Expenses.

Sec. 6. (*Effective from passage*) The sum of \$500,000 appropriated to the Department of Education from the General Fund, for School Construction, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Environmental Protection, for Personal Services.

Sec. 7. (*Effective from passage*) The sum of \$300,000 appropriated to the Department of Education from the General Fund, for School Construction, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Environmental Protection, for Other Expenses.

Sec. 8. (*Effective from passage*) (a) The sum of \$48,300,000 appropriated to the Department of Education from the General Fund, for School Construction, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Social Services, for Medicaid.

(b) The sum of \$10,000,000 appropriated to the Office of Policy and Management from the General Fund, for Energy Contingency, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of

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special act 01-1 of the June special session, and carried forward in subsection (1) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Social Services, for Medicaid.

(c) The sum of \$11,600,000 appropriated to the Department of Transportation from the General Fund, for Transportation Strategy Board, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (1) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Social Services, for Medicaid.

Sec. 9. (*Effective from passage*) The sum of \$6,500,000 appropriated to the Department of Higher Education from the General Fund, for Higher Education State Matching Grant Fund, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Department of Education, for Excess Cost-Student Based.

Sec. 10. (*Effective from passage*) The sum of \$4,000,000 appropriated to the Department of Environmental Protection from the General Fund, for Residential Underground Storage Tank Clean-up, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (1) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to Reserve for Salary Adjustments, in the General Fund, for Reserve for Salary Adjustments.

Sec. 11. (*Effective from passage*) The sum of \$2,014,000 appropriated to the Department of Higher Education from the General Fund, for Higher Education State Matching Grant Fund, for the fiscal year

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ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsection (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to the Workers' Compensation Claims-Department of Administrative Services, in the General Fund, for Workers' Compensation Claims.

Sec. 12. (*Effective from passage*) The sum of \$10,000,000 appropriated to the Department of Social Services from the General Fund, for Hospital Finance Restructuring Funding, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsections (1) and (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be transferred to State Employees Health Service Cost, in the General Fund, for Other Expenses.

Sec. 13. (*Effective from passage*) Notwithstanding the provisions of subsection (f) of section 4-89 of the general statutes, for the fiscal year ending June 30, 2002, the sum of \$142,164 appropriated to the Department of Higher Education and carried forward by said section, for the Minority Advancement Program, shall be credited to the resources of the General Fund for the fiscal year ending June 30, 2002.

Sec. 14. (*Effective from passage*) The sum of \$400,000 made available for expenditure pursuant to subsection (d) of section 4-28e of the general statutes, and carried forward in section 59 of special act 01-1 of the June special session, as amended by special act 01-1 of the November 15 special session, shall be credited to the resources of the General Fund for the fiscal year ending June 30, 2002.

Sec. 15. (*Effective from passage*) The sum of \$1,400,000 appropriated to the Department of Mental Health and Addiction Services in section 11 of special act 99-10, as amended by section 1 of special act 00-13, and carried forward pursuant to subsection (c) of section 4-89 of the

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general statutes, for TBI Community Services, shall be credited to the resources of the General Fund for the fiscal year ending June 30, 2002.

Sec. 16. (*Effective from passage*) The following sums appropriated from the General Fund, for the fiscal year ending June 30, 2001, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward in subsections (1) and (2) of said section, as amended by section 2 of special act 01-1 of the November 15 special session, shall be credited to the resources of the General Fund for the fiscal year ending June 30, 2002:

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LEGISLATIVE MANAGEMENT

CTN	96,549
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OFFICE OF POLICY AND MANAGEMENT

Energy Contingency	1,874,579
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OTHER THAN PAYMENTS

TO LOCAL GOVERNMENTS

Private Provider Infrastructure/Debt Fund	1,950,000
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Miscellaneous Grants	1,000,000
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AGENCY TOTAL	4,824,579
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OFFICE OF WORKFORCE COMPETITIVENESS

Jobs Funnel Projects	700,000
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Workforce Development Boards	1,852,213
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PAYMENTS TO LOCAL GOVERNMENTS

School to Work	81,771
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AGENCY TOTAL	2,633,984
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DEPARTMENT OF ADMINISTRATIVE SERVICES

Disabilities Outreach Program	50,000
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Hospital Billing Program	140,000
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**House Bill No. 6002**

AGENCY TOTAL	190,000
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DEPARTMENT OF PUBLIC SAFETY

Personal Services	1,905,293
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Other Expenses	200,000
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AGENCY TOTAL	2,105,293
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LABOR DEPARTMENT

CEIP Phase-out	1,411,328
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Individual Development Accounts	400,000
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AGENCY TOTAL	1,811,328
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DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

Residential Underground Storage Tank Clean-up	1,024,607
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DEPARTMENT OF MENTAL HEALTH  
AND ADDICTION SERVICES

Medicaid Rehabilitation Option and Specialty Health Care Plan	152,499
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Supportive Housing	5,113,279
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Community Mental Health Strategic Investment Fund	6,000,000
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APT Relocation	940,885
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AGENCY TOTAL	12,206,663
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DEPARTMENT OF TRANSPORTATION

Transportation Strategy Board	2,600,000
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Dial-A-Ride/Jobs Transportation	1,681,771
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AGENCY TOTAL	4,281,771
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DEPARTMENT OF SOCIAL SERVICES  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

TFA Supportive Employment	940,885
Christian Community Action/Hill Cooperative	150,000
Hospital Finance Restructuring Funding	589,547
AGENCY TOTAL	1,680,432

DEPARTMENT OF EDUCATION

Reading Institutes	940,885
Teacher Training	564,531
PAYMENTS TO LOCAL GOVERNMENTS	
School Wiring	1,908,853
School Construction	680,000
School Accountability	940,885
Poor Performing Schools	1,317,240
AGENCY TOTAL	6,352,394

DEPARTMENT OF HIGHER EDUCATION

Higher Education State Matching Grant Fund	1,459,384
Education and Health Initiatives	132,270
AGENCY TOTAL	1,591,654

DEPARTMENT OF CHILDREN AND FAMILIES

Transition Costs for Connecticut	
Juvenile Training School	470,442
Computerized Case Management System	252,708
AGENCY TOTAL	723,150

WORKERS' COMPENSATION CLAIMS-  
DEPARTMENT OF ADMINISTRATIVE

**House Bill No. 6002**

SERVICES

Transfer Claims Liabilities	1,126,559
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MASHANTUCKET PEQUOT AND MOHEGAN

FUND GRANT

PAYMENTS TO LOCAL GOVERNMENTS

Grants to Towns	15,000,000
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TOTAL	55,648,963
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Sec. 17. (*Effective from passage*) The following amounts credited to the resources of the General Fund, for the fiscal year ending June 30, 2002, pursuant to sections 1 to 18, inclusive, of this act, shall be transferred as follows:

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LEGISLATIVE MANAGEMENT

CTN	1,500,000
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OFFICE OF POLICY AND MANAGEMENT

Amistad	75,000
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Adopt-a-House in Stamford	10,000
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OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Arts Grants	900,000
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PAYMENTS TO LOCAL GOVERNMENTS

Local Aid Adjustment	3,000,000
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AGENCY TOTAL	3,985,000
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DEPARTMENT OF VETERANS AFFAIRS

Transitional Living Services for Veterans	400,000
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OFFICE OF WORKFORCE COMPETITIVENESS

Workforce Development Boards	350,000
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LABOR DEPARTMENT

**House Bill No. 6002**

Opportunity Industrial Centers – Bridgeport	100,000
Individual Development Accounts	325,000
AGENCY TOTAL	425,000

DEPARTMENT OF AGRICULTURE	
CT Seafood Advisory Council	50,000
Food Council	25,000
Wine Council	25,000
AGENCY TOTAL	100,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Grants for Water programs	75,000
Recreational Fishing Programs	1,000,000
AGENCY TOTAL	1,075,000

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
Women's Business Development Center	10,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Entrepreneurial Centers	200,000
PAYMENTS TO LOCAL GOVERNMENTS	
Tax Abatement	2,243,276
Payment in Lieu of Taxes	2,900,000
AGENCY TOTAL	5,353,276

DEPARTMENT OF PUBLIC HEALTH	
Tobacco Education	1,247,208
Biomedical Research	500,000
PAYMENTS TO LOCAL GOVERNMENTS	
School Based Health Clinics	145,000
AGENCY TOTAL	1,892,208

DEPARTMENT OF MENTAL RETARDATION	
New Family Center	12,000

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	
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**House Bill No. 6002**

Institute for Municipal and Regional Policy	100,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Grants for Mental Health Services	375,000
AGENCY TOTAL	475,000

DEPARTMENT OF SOCIAL SERVICES  
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS

School Readiness	200,000
Community Services	150,000
Enhanced Funding for Griffin Hospital	200,000
Stamford Hospital	2,500,000
Yale-New Haven Hospital	3,300,000
Legal Immigrants	1,200,000
Nursing Home Staffing	2,000,000
Epilepsy Project	50,000
Elderly Health Screening	100,000
Elderly Express	80,000
Geriatric Assessment	30,000
Human Resource Development	400,000
PAYMENTS TO LOCAL GOVERNMENTS	
Teen Pregnancy Prevention	25,000
AGENCY TOTAL	10,235,000

DEPARTMENT OF EDUCATION

Jason Project	150,000
Connecticut Writing Project	75,000
PAYMENTS TO LOCAL GOVERNMENTS	
Youth Service Bureau	15,000
Magnet Schools	912,000
Young Parents Program - The Bridge	25,000
AGENCY TOTAL	1,177,000

STATE LIBRARY  
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS

Basic Cultural Resources Grant	130,000
Grants - Local Institutions in Humanities	205,000

**House Bill No. 6002**

AGENCY TOTAL	335,000
DEPARTMENT OF HIGHER EDUCATION	
Minority Advancement Program	657,029
Saturday Academy	100,000
AGENCY TOTAL	757,029
UNIVERSITY OF CONNECTICUT	
Veterinary Diagnostic Laboratory	50,000
DEPARTMENT OF CORRECTION	
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Community Residential Services	240,000
BOARD OF PAROLE	
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Community Residential Services	40,000
DEPARTMENT OF CHILDREN AND FAMILIES	
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Stamford Child Guidance Clinic	10,000
Fund Covenant to Care	150,000
Fund Neighborhood Center	90,000
AGENCY TOTAL	250,000
JUDICIAL DEPARTMENT	
Alternative Incarceration Program	400,000
TOTAL	29,051,513

Such funds shall not lapse on June 30, 2002, and shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

Sec. 18. (*Effective from passage*) At the close of the fiscal year ending  
**May 9 Sp. Sess., Public Act No. 02-1** **12 of 196**

**House Bill No. 6002**

June 30, 2002, the Comptroller is authorized to record as expenditures for said fiscal year, any expenditures made from July 1, 2002, to July 31, 2002, inclusive, pursuant to the appropriations or transfer provisions of sections 1 to 18, inclusive, of this act.

Sec. 19. Section 11 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

GENERAL FUND

2002-2003

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LEGISLATIVE

LEGISLATIVE MANAGEMENT

Personal Services	[34,661,211]	<u>33,932,211</u>
Other Expenses	[14,805,374]	<u>13,958,293</u>
Equipment	[876,000]	<u>679,160</u>
Interim Committee Staffing	510,000	
Interim Salary/Caucus Offices	435,000	
Industrial Renewal Plan	[180,000]	<u>177,300</u>

OTHER THAN PAYMENTS TO LOCAL

GOVERNMENTS

Interstate Conference Fund	[265,350]	<u>261,370</u>
AGENCY TOTAL	[51,732,935]	<u>49,953,334</u>

AUDITORS OF PUBLIC ACCOUNTS

Personal Services	[8,727,197]	<u>8,227,197</u>
Other Expenses	[610,409]	<u>601,253</u>

**House Bill No. 6002**

Equipment	[134,504]	<u>132,486</u>
AGENCY TOTAL	[9,472,110]	<u>8,960,936</u>

COMMISSION ON THE STATUS OF WOMEN

Personal Services	497,198	
Other Expenses	[124,860]	<u>72,987</u>
Equipment	2,625	
AGENCY TOTAL	[624,683]	<u>572,810</u>

COMMISSION ON CHILDREN

Personal Services	484,875	
Other Expenses	[99,775]	<u>48,278</u>
Equipment	2,625	
Social Health Index	[40,000]	<u>30,000</u>
AGENCY TOTAL	[627,275]	<u>565,778</u>

LATINO AND PUERTO RICAN AFFAIRS

COMMISSION

Personal Services	316,251	
Other Expenses	[85,690]	<u>59,405</u>
Equipment	5,250	
AGENCY TOTAL	[407,191]	<u>380,906</u>

AFRICAN-AMERICAN AFFAIRS COMMISSION

Personal Services	260,417	
Other Expenses	[92,800]	<u>66,408</u>
Equipment	2,500	
AGENCY TOTAL	[355,717]	<u>329,325</u>

TOTAL	[63,219,911]	<u>60,763,089</u>
LEGISLATIVE		

GENERAL GOVERNMENT

**House Bill No. 6002**

GOVERNOR'S OFFICE

Personal Services	[2,300,360]	<u>2,049,731</u>
Other Expenses	[289,479]	<u>285,137</u>
Equipment	100	

OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

New England Governors' Conference	[140,862]	<u>138,749</u>
National Governors' Association	[102,422]	<u>100,886</u>
AGENCY TOTAL	[2,833,223]	<u>2,574,603</u>

SECRETARY OF THE STATE

Personal Services	2,882,377	
Other Expenses	[1,256,996]	<u>1</u>
Equipment	1,000	
AGENCY TOTAL	[4,140,373]	<u>2,883,378</u>

LIEUTENANT GOVERNOR'S OFFICE

Personal Services	267,222	
Other Expenses	51,688	
Equipment	100	
AGENCY TOTAL	319,010	

ELECTIONS ENFORCEMENT COMMISSION

Personal Services	777,158	
Other Expenses	[80,477]	<u>79,270</u>
Equipment	1,000	
AGENCY TOTAL	[858,635]	<u>857,428</u>

ETHICS COMMISSION

Personal Services	756,638	
Other Expenses	[106,387]	<u>104,791</u>
Equipment	100	
Lobbyist Electronic Filing Program	42,000	
AGENCY TOTAL	[905,125]	<u>903,529</u>

**House Bill No. 6002**

**FREEDOM OF INFORMATION COMMISSION**

Personal Services	1,216,043	
Other Expenses	[124,909]	<u>123,035</u>
Equipment	1,000	
AGENCY TOTAL	[1,341,952]	<u>1,340,078</u>

**JUDICIAL SELECTION COMMISSION**

Personal Services	89,683	
Other Expenses	20,727	
Equipment	100	
AGENCY TOTAL	110,510	

**STATE PROPERTIES REVIEW BOARD**

Personal Services	363,933	
Other Expenses	[184,346]	<u>181,581</u>
Equipment	1,000	
AGENCY TOTAL	[549,279]	<u>546,514</u>

**STATE TREASURER**

Personal Services	[3,662,260]	<u>3,512,260</u>
Other Expenses	[416,404]	<u>410,158</u>
Equipment	1,000	
AGENCY TOTAL	[4,079,664]	<u>3,923,418</u>

**STATE COMPTROLLER**

Personal Services	[16,611,027]	<u>16,261,027</u>
Other Expenses	[3,305,488]	<u>3,206,656</u>
Equipment	1,000	
[Wellness Program	47,500]	

**OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS**

Governmental Accounting Standards Board	19,570	
AGENCY TOTAL	[19,984,585]	<u>19,488,253</u>

**House Bill No. 6002**

DEPARTMENT OF REVENUE SERVICES

Personal Services	[52,811,229]	<u>52,300,315</u>
Other Expenses	[10,278,819]	<u>9,950,000</u>
Equipment	1,000	
Collection and Litigation Contingency Fund	[455,000]	<u>448,175</u>
AGENCY TOTAL	[63,546,048]	<u>62,699,490</u>

DIVISION OF SPECIAL REVENUE

Personal Services	[7,941,231]	<u>7,552,285</u>
Other Expenses	[1,766,209]	<u>1,850,036</u>
Equipment	1,000	
AGENCY TOTAL	[9,708,440]	<u>9,403,321</u>

STATE INSURANCE AND RISK

MANAGEMENT BOARD

Personal Services	218,583	
Other Expenses	[8,922,742]	<u>9,355,632</u>
Equipment	1,000	
Surety Bonds for State Officials and Employees	[153,450]	<u>151,148</u>
AGENCY TOTAL	[9,295,775]	<u>9,726,363</u>

GAMING POLICY BOARD

Other Expenses	3,400	
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OFFICE OF POLICY AND MANAGEMENT

Personal Services	[14,716,345]	<u>14,266,345</u>
Other Expenses	[1,986,086]	<u>2,140,295</u>
Equipment	1,000	
Automated Budget System and Data Base Link	[155,304]	<u>103,724</u>
Drugs Don't Work	[475,000]	<u>247,694</u>
Leadership, Education, Athletics in Partnership (LEAP)	[2,076,700]	<u>1,895,549</u>
Children and Youth Program Development	[750,000]	<u>491,212</u>

**House Bill No. 6002**

Cash Management Improvement Act	100	
Justice Assistance Grants	[2,288,501]	<u>1,788,501</u>
Neighborhood Youth Centers	[1,846,107]	<u>1,225,915</u>
[High Efficiency Licensing Program	250,000]	
Boys and Girls Club	[350,000]	<u>260,275</u>
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Tax Relief for Elderly Renters	12,800,000	
Drug Enforcement Program	[1,414,348]	<u>1,193,133</u>
[Private Providers	7,500,000]	
PAYMENTS TO LOCAL GOVERNMENTS		
Reimbursement Property Tax - Disability Exemption	450,000	
Distressed Municipalities	[6,500,000]	<u>8,251,200</u>
Property Tax Relief Elderly Circuit Breaker	22,000,000	
Property Tax Relief Elderly Freeze Program	[1,830,000]	<u>2,700,000</u>
Property Tax Relief for Veterans	8,900,000	
Drug Enforcement Program	[9,266,053]	<u>6,500,002</u>
P.I.L.O.T. - New Manufacturing Machinery and Equipment	[75,500,000]	<u>71,725,000</u>
Capital City Economic Development	750,000	
Waste Water Treatment Facility Host Town Grant	250,000	
AGENCY TOTAL	[172,055,544]	<u>157,939,945</u>
DEPARTMENT OF VETERANS AFFAIRS		
Personal Services	[23,253,633]	<u>22,666,643</u>
Other Expenses	[5,906,995]	<u>6,053,402</u>
Equipment	1,000	
AGENCY TOTAL	[29,161,628]	<u>28,721,045</u>
OFFICE OF WORKFORCE COMPETITIVENESS		
Personal Services	509,169	
Other Expenses	[500,000]	<u>492,500</u>
Equipment	1,800	

**House Bill No. 6002**

CETC Workforce	[4,230,000]	<u>3,108,433</u>
AGENCY TOTAL	[5,240,969]	<u>4,111,902</u>

DEPARTMENT OF ADMINISTRATIVE  
SERVICES

Personal Services	[19,749,515]	<u>18,810,665</u>
Other Expenses	[2,881,613]	<u>2,606,630</u>
Equipment	1,000	
Loss Control Risk Management	[537,250]	<u>430,691</u>
Employees' Review Board	55,400	
Quality of Work-Life	[350,000]	<u>344,750</u>
Refunds of Collections	52,000	
W. C. Administrator	[5,620,008]	<u>5,280,500</u>
<u>Hospital Billing System</u>		<u>137,900</u>
AGENCY TOTAL	[29,246,786]	<u>27,719,536</u>

DEPARTMENT OF INFORMATION  
TECHNOLOGY

Personal Services	[1,656,070]	<u>1,601,939</u>
Other Expenses	[4,202,944]	<u>4,102,944</u>
Equipment	1,000	
Automated Personnel System	[1,980,359]	<u>1,892,967</u>
AGENCY TOTAL	[7,840,373]	<u>7,598,850</u>

DEPARTMENT OF PUBLIC WORKS

Personal Services	[6,366,648]	<u>6,255,735</u>
Other Expenses	[15,940,393]	<u>16,318,202</u>
Equipment	1,000	
Management Services	[5,341,395]	<u>5,478,184</u>
Rents and Moving	[7,772,311]	<u>7,655,726</u>
Capitol Day Care Center	109,250	
Facilities Design Expenses	[5,572,849]	<u>5,489,256</u>
AGENCY TOTAL	[41,103,846]	<u>41,307,353</u>

**House Bill No. 6002**

ATTORNEY GENERAL

Personal Services	[26,718,397]	<u>26,518,397</u>
Other Expenses	[1,278,012]	<u>1,258,842</u>
Equipment	1,000	
AGENCY TOTAL	[27,997,409]	<u>27,778,239</u>

OFFICE OF THE CLAIMS COMMISSIONER

Personal Services	249,678	
Other Expenses	[31,258]	<u>51,258</u>
Equipment	100	
Adjudicated Claims	[105,000]	<u>103,425</u>
AGENCY TOTAL	[386,036]	<u>404,461</u>

DIVISION OF CRIMINAL JUSTICE

Personal Services	[37,120,001]	<u>36,486,001</u>
Other Expenses	[2,734,707]	<u>2,693,686</u>
Equipment	[387,500]	<u>381,687</u>
Forensic Sex Evidence Exams	[338,330]	<u>333,255</u>
Witness Protection	[550,000]	<u>541,750</u>
Training and Education	[85,155]	<u>83,878</u>
Expert Witnesses	[200,000]	<u>197,000</u>
Medicaid Fraud Control	[629,816]	<u>620,369</u>
AGENCY TOTAL	[42,045,509]	<u>41,337,626</u>

CRIMINAL JUSTICE COMMISSION

Other Expenses	1,195	
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STATE MARSHAL COMMISSION

<u>Personal Services</u>		<u>173,383</u>
<u>Other Expenses</u>		<u>55,000</u>
<u>Equipment</u>		<u>100</u>
<u>AGENCY TOTAL</u>		<u>228,483</u>

TOTAL	[472,755,314]	<u>451,927,930</u>
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**House Bill No. 6002**

GENERAL GOVERNMENT

REGULATION AND PROTECTION

DEPARTMENT OF PUBLIC SAFETY

Personal Services	[111,157,998]	<u>112,284,037</u>
Other Expenses	[20,324,054]	<u>22,151,141</u>
Equipment	1,000	
Stress Reduction	53,354	
Fleet Purchase	[8,177,748]	<u>8,055,082</u>
[Gun Law Enforcement Task Force	500,000]	
Workers' Compensation Claims	[2,085,484]	<u>2,744,265</u>
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Civil Air Patrol	38,692	
AGENCY TOTAL	[142,338,330]	<u>145,327,571</u>

POLICE OFFICER STANDARDS AND  
TRAINING COUNCIL

Personal Services	1,749,394	
Other Expenses	[909,539]	<u>901,313</u>
Equipment	1,000	
[Training at Satellite Academies	50,000]	
AGENCY TOTAL	[2,709,933]	<u>2,651,707</u>

BOARD OF FIREARMS PERMIT EXAMINERS

Personal Services	65,496	
Other Expenses	38,121	
Equipment	1,000	
AGENCY TOTAL	104,617	

MILITARY DEPARTMENT

Personal Services	[4,444,853]	<u>4,067,851</u>
Other Expenses	[2,056,247]	<u>2,131,260</u>

**House Bill No. 6002**

Equipment	1,000	
[Honor Guards	400,000]	
AGENCY TOTAL	[6,902,100]	<u>6,200,111</u>

COMMISSION ON FIRE PREVENTION AND  
CONTROL

Personal Services	1,595,423	
Other Expenses	[612,898]	<u>603,705</u>
Equipment	1,000	

OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Payments to Volunteer Fire Companies	[240,000]	<u>236,400</u>
AGENCY TOTAL	[2,449,321]	<u>2,436,528</u>

DEPARTMENT OF CONSUMER PROTECTION

Personal Services	[10,706,345]	<u>10,413,018</u>
Other Expenses	[1,152,972]	<u>1,135,677</u>
Equipment	1,000	
AGENCY TOTAL	[11,860,317]	<u>11,549,695</u>

LABOR DEPARTMENT

Personal Services	[9,936,519]	<u>9,607,806</u>
Other Expenses	[948,336]	<u>834,111</u>
Equipment	2,000	
Workforce Investment Act	[23,656,282]	<u>21,360,235</u>
Vocational and Manpower Training	[2,003,082]	<u>1,576,036</u>
Summer Youth Employment	[732,646]	<u>621,656</u>
Jobs First Employment Services	[15,428,037]	<u>15,226,616</u>
Opportunity Industrial Centers	[584,932]	<u>452,658</u>
[Opportunity Certificate and AEITC	720,442]	
AGENCY TOTAL	[54,012,276]	<u>49,681,118</u>

OFFICE OF VICTIM ADVOCATE

Personal Services	[204,953]	<u>249,003</u>
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**House Bill No. 6002**

Other Expenses	40,129	
Equipment	1,000	
AGENCY TOTAL	[246,082]	<u>290,132</u>

COMMISSION ON HUMAN RIGHTS AND  
OPPORTUNITIES

Personal Services	[5,989,383]	<u>6,553,658</u>
Other Expenses	[568,867]	<u>607,121</u>
Equipment	1,000	
Martin Luther King, Jr. Commission	7,000	
[Human Rights Referees	955,525]	
AGENCY TOTAL	[7,521,775]	<u>7,168,779</u>

OFFICE OF PROTECTION AND ADVOCACY  
FOR PERSONS WITH DISABILITIES

Personal Services	[2,470,155]	<u>2,410,155</u>
Other Expenses	[434,547]	<u>428,029</u>
Equipment	1,000	
AGENCY TOTAL	[2,905,702]	<u>2,839,184</u>

OFFICE OF THE CHILD ADVOCATE

Personal Services	[500,290]	<u>555,090</u>
Other Expenses	[71,844]	<u>70,766</u>
Equipment	1,000	
Child Fatality Review Panel	[67,500]	<u>66,487</u>
AGENCY TOTAL	[640,634]	<u>693,343</u>

TOTAL	[231,691,087]	<u>228,942,785</u>
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REGULATION AND PROTECTION

CONSERVATION AND DEVELOPMENT

DEPARTMENT OF AGRICULTURE

Personal Services	[4,229,527]	<u>4,142,538</u>
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**House Bill No. 6002**

Other Expenses	[714,010]	<u>703,300</u>
Equipment	1,000	
Oyster Program	[100,000]	<u>98,500</u>
Vibrio Bacterium Program	10,000	
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
WIC Program for Fresh Produce for Seniors	[89,611]	<u>88,267</u>
Collection of Agricultural Statistics	1,200	
Tuberculosis and Brucellosis Indemnity	1,000	
Exhibits and Demonstrations	5,600	
Connecticut Grown Product Promotion	[435,000]	<u>15,000</u>
WIC Coupon Program for Fresh Produce	[85,371]	<u>84,090</u>
AGENCY TOTAL	[5,672,319]	<u>5,150,495</u>

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

Personal Services	[34,123,514]	<u>34,273,514</u>
Other Expenses	[3,319,037]	<u>3,424,278</u>
Equipment	[1,000]	<u>68,457</u>
Stream Gaging	[160,000]	<u>157,600</u>
Mosquito Control	[337,682]	<u>332,617</u>
State Superfund Site Maintenance	[600,000]	<u>591,000</u>
Laboratory Fees	[280,076]	<u>275,875</u>
Dam Maintenance	[122,298]	<u>120,464</u>
Long Island Sound Research Fund	1,000	
Emergency Response Commission	[135,366]	<u>133,336</u>
Beardsley Park and Zoo	450,000	
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Soil Conservation Districts	1,040	
Agreement USGS-Geological Investigation	47,000	
Agreement USGS-Hydrological Study	[124,640]	<u>122,770</u>
New England Interstate Water Pollution Commission	8,400	

**House Bill No. 6002**

Northeast Interstate Forest Fire Compact	2,040	
Connecticut River Valley Flood Control Commission	40,200	
Thames River Valley Flood Control Commission	50,200	
Environmental Review Teams	1,000	
Agreement USGS-Water Quality Stream Monitoring	[172,710]	<u>170,119</u>
AGENCY TOTAL	[39,977,203]	<u>40,270,910</u>

**COUNCIL ON ENVIRONMENTAL QUALITY**

Personal Services	129,625	
Other Expenses	6,470	
AGENCY TOTAL	136,095	

**CONNECTICUT HISTORICAL COMMISSION**

Personal Services	[1,118,940]	<u>581,497</u>
Other Expenses	[96,573]	<u>95,124</u>
Equipment	1,000	
AGENCY TOTAL	[1,216,513]	<u>677,621</u>

**DEPARTMENT OF ECONOMIC AND  
COMMUNITY DEVELOPMENT**

Personal Services	7,324,456	
Other Expenses	[3,086,872]	<u>2,876,319</u>
Equipment	1,000	
Elderly Rental Registry and Counselors	[647,060]	<u>617,654</u>
Cluster Initiative	[1,300,000]	<u>850,000</u>

**OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS**

[Entrepreneurial Centers	215,000]	
<u>Subsidized</u> Assisted Living Demonstration	[1,769,625]	<u>394,000</u>
Congregate Facilities Operation Costs	[5,179,540]	<u>5,101,847</u>
Housing Assistance and Counseling Program	[384,600]	<u>378,831</u>
Elderly Congregate Rent Subsidy	[1,336,654]	<u>1,316,604</u>

**House Bill No. 6002**

[Tax Abatement	2,243,276]	
[Payment in Lieu of Taxes	2,900,000]	
AGENCY TOTAL	[26,388,083]	<u>18,860,711</u>

AGRICULTURAL EXPERIMENT STATION

Personal Services	[5,544,950]	<u>5,530,630</u>
Other Expenses	[463,965]	<u>457,006</u>
Equipment	1,000	
Mosquito Control	[212,653]	<u>209,463</u>
<u>Wildlife Disease Prevention</u>		<u>100,000</u>
AGENCY TOTAL	[6,222,568]	<u>6,298,099</u>

TOTAL	[79,612,781]	<u>71,393,931</u>
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CONSERVATION AND DEVELOPMENT

HEALTH AND HOSPITALS

DEPARTMENT OF PUBLIC HEALTH

Personal Services	[30,896,117]	<u>30,696,117</u>
Other Expenses	[6,355,166]	<u>6,491,404</u>
Equipment	1,000	
Young Parents Program	[198,912]	<u>135,723</u>
Pregnancy Healthline	[110,798]	<u>82,785</u>
Needle and Syringe Exchange Program	[399,998]	<u>332,790</u>
Community Services Support for Persons With AIDS	[215,594]	<u>197,652</u>
Children's Health Initiatives	[1,618,761]	<u>1,284,049</u>
Tobacco Education	[200,000]	<u>186,148</u>
CT Immunization Registry	[220,807]	<u>202,431</u>
Newborn Hearing Screening	[70,000]	<u>65,152</u>
Childhood Lead Poisoning	[265,770]	<u>243,653</u>
AIDS Services	[4,268,765]	<u>3,994,497</u>
[Liability Coverage for Volunteer Retired Physicians	4,235]	

**House Bill No. 6002**

Breast and Cervical Cancer Detection and Treatment	[1,951,710]	<u>1,673,717</u>
Services for Children Affected by AIDS	[286,110]	<u>262,301</u>
Children with Special Health Care Needs	[728,280]	<u>1,033,731</u>
Medicaid Administration	[3,993,267]	<u>3,416,701</u>
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Community Health Services	[6,978,965]	<u>5,841,855</u>
Emergency Medical Services Training	[36,414]	<u>33,892</u>
Emergency Medical Services Regional Offices	[522,716]	<u>500,615</u>
Rape Crisis	[462,062]	<u>423,609</u>
X-Ray Screening and Tuberculosis Care	621,527	
Genetic Diseases Programs	[804,722]	<u>546,075</u>
Loan Repayment Program	[194,500]	<u>166,582</u>
Immunization Services	[7,126,548]	<u>7,019,650</u>
PAYMENTS TO LOCAL GOVERNMENTS		
Local and District Departments of Health	[4,446,010]	<u>3,946,010</u>
Venereal Disease Control	[231,255]	<u>215,239</u>
School Based Health Clinics	[6,038,399]	<u>5,913,399</u>
AGENCY TOTAL	[79,248,408]	<u>75,528,304</u>
OFFICE OF HEALTH CARE ACCESS		
Personal Services	[2,718,780]	<u>2,595,780</u>
Other Expenses	[434,368]	<u>270,095</u>
Equipment	2,000	
AGENCY TOTAL	[3,155,148]	<u>2,867,875</u>
OFFICE OF THE CHIEF MEDICAL EXAMINER		
Personal Services	3,677,188	
Other Expenses	[530,664]	<u>522,704</u>
Equipment	7,500	
Medicolegal Investigations	[661,000]	<u>651,085</u>
AGENCY TOTAL	[4,876,352]	<u>4,858,477</u>

**House Bill No. 6002**

**DEPARTMENT OF MENTAL RETARDATION**

Personal Services	[283,992,763]	<u>282,824,853</u>
Other Expenses	[23,172,643]	<u>23,289,806</u>
Equipment	1,000	
Human Resource Development	[354,109]	<u>231,358</u>
Family Support Grants	[1,008,185]	<u>993,062</u>
Pilot Program for Client Services	[2,235,129]	<u>2,250,073</u>
Cooperative Placements Program	[11,033,394]	<u>11,071,448</u>
Clinical Services	[4,127,868]	<u>3,862,653</u>
Early Intervention	[19,280,429]	<u>20,642,220</u>
Temporary Support Services	[208,094]	<u>204,973</u>
Community Temporary Support Services	[68,340]	<u>67,315</u>
Community Respite Care Programs	[335,376]	<u>330,345</u>
Workers' Compensation Claims	[9,679,788]	<u>10,236,304</u>

**OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS**

Rent Subsidy Program	[2,717,615]	<u>2,676,851</u>
Respite Care	[2,113,767]	<u>2,082,060</u>
Family Reunion Program	[140,000]	<u>137,900</u>
Employment Opportunities and Day Services	[114,817,427]	<u>115,533,404</u>
Family Placements	[1,831,985]	<u>1,844,233</u>
Emergency Placements	[3,619,881]	<u>3,644,225</u>
Community Residential Services	[240,757,409]	<u>242,809,404</u>
[Services to Support the Aging Population	500,000]	
AGENCY TOTAL	[721,995,202]	<u>724,733,487</u>

**DEPARTMENT OF MENTAL HEALTH AND  
ADDICTION SERVICES**

Personal Services	[161,704,075]	<u>157,602,911</u>
Other Expenses	[25,972,636]	<u>25,821,360</u>
Equipment	1,000	
Housing Supports and Services	[6,139,019]	<u>5,236,235</u>
Managed Service System	[22,393,700]	<u>23,606,281</u>
Drug Treatment for Schizophrenia	[3,778,777]	<u>6,283,095</u>

**House Bill No. 6002**

Legal Services	[399,711]	<u>393,715</u>
Connecticut Mental Health Center	[8,230,275]	<u>7,236,103</u>
Capitol Region Mental Health Center	[345,592]	<u>340,408</u>
Professional Services	[4,780,607]	<u>4,508,898</u>
Regional Action Councils	[750,125]	<u>466,498</u>
General Assistance Managed Care	[76,463,067]	<u>67,605,382</u>
Workers' Compensation Claims	[5,710,241]	<u>5,082,082</u>
Nursing Home Screening	[492,843]	<u>485,450</u>
Special Populations	[20,828,518]	<u>18,881,402</u>
TBI Community Services	[3,985,675]	<u>4,368,371</u>
Transitional Youth	[3,511,582]	<u>3,387,532</u>
Jail Diversion	[3,308,716]	<u>3,190,075</u>
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Grants for Substance Abuse Services	[21,101,808]	<u>19,821,487</u>
Governor's Partnership to Protect Connecticut's Workforce	[470,475]	<u>400,000</u>
Grants for Mental Health Services	[77,466,086]	<u>73,753,928</u>
Employment Opportunities	[9,668,499]	<u>9,592,313</u>
AGENCY TOTAL	[457,503,027]	<u>438,064,526</u>
PSYCHIATRIC SECURITY REVIEW BOARD		
Personal Services	263,220	
Other Expenses	50,522	
Equipment	1,000	
AGENCY TOTAL	314,742	
TOTAL	[1,267,092,879]	<u>1,246,367,411</u>
HEALTH AND HOSPITALS		

[TRANSPORTATION]

[DEPARTMENT OF TRANSPORTATION]

[PAYMENTS TO LOCAL GOVERNMENTS]

**House Bill No. 6002**

[Town Aid Road Grants	35,000,000]
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[TOTAL	35,000,000]
[TRANSPORTATION]	

HUMAN SERVICES

DEPARTMENT OF SOCIAL SERVICES

Personal Services	[117,379,410]	<u>121,311,510</u>
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Other Expenses	[46,397,215]	<u>90,019,592</u>
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Equipment	1,000	
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<u>Children's Health Council</u>		<u>1,525,676</u>
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HUSKY Outreach [and Data Collection]	[5,475,060]	<u>320,000</u>
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[Independent Living Center - Administration	24,388]	
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[Anti-Hunger Programs	227,016]	
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Genetic Tests in Paternity Actions	[218,484]	<u>204,447</u>
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State Food Stamp Supplement	[1,184,763]	<u>1,928,045</u>
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Day Care Projects	[490,533]	<u>459,016</u>
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Commission on Aging	[281,033]	<u>215,896</u>
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[Information Technology Services	50,070,978]	
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HUSKY Program	[21,091,470]	<u>25,363,000</u>
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OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Vocational Rehabilitation	[7,068,478]	<u>6,962,451</u>
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Medicaid	[2,593,271,493]	<u>2,629,568,012</u>
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Old Age Assistance	[31,779,221]	<u>30,100,052</u>
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Aid to the Blind	[587,149]	<u>628,710</u>
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Aid to the Disabled	[59,323,266]	<u>57,538,734</u>
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Temporary Assistance to Families - TANF	[122,540,334]	<u>132,117,104</u>
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Adjustment of Recoveries	[150,000]	<u>147,750</u>
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Emergency Assistance	500	
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Food Stamp Training Expenses	[130,800]	<u>128,838</u>
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Connecticut Pharmaceutical Assistance Contract to the Elderly	[74,468,137]	<u>63,905,727</u>
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**House Bill No. 6002**

<u>Healthy Start</u>		<u>1,512,131</u>
DMHAS-Disproportionate Share	105,935,000	
Connecticut Home Care Program	[25,380,000]	<u>27,186,000</u>
Human Resource Development-Hispanic Programs	[105,506]	<u>94,073</u>
Services to the Elderly	[6,498,623]	<u>5,845,871</u>
Safety Net Services	[4,288,624]	<u>3,717,580</u>
Transportation for Employment Independence Program	[2,940,430]	<u>2,751,507</u>
Transitional Rental Assistance	[3,420,950]	<u>1,287,770</u>
Refunds of Collections	[200,000]	<u>197,000</u>
[Energy Assistance	2,081,170]	
Services for Persons With Disabilities	[6,925,727]	<u>5,494,874</u>
Child Care Services-TANF/CCDBG	[115,474,708]	<u>112,854,140</u>
Nutrition Assistance	[95,617]	<u>94,183</u>
Housing/Homeless Services	[25,392,337]	<u>23,538,627</u>
Employment Opportunities	[871,135]	<u>858,068</u>
Human Resource Development	[3,827,696]	<u>3,385,516</u>
Child Day Care	[3,677,350]	<u>3,441,080</u>
Independent Living Centers	[729,444]	<u>646,652</u>
AIDS Drug Assistance	[615,917]	<u>606,678</u>
Disproportionate Share – Medical Emergency Assistance	[85,000,000]	<u>76,725,000</u>
DSH – Urban Hospitals in Distressed Municipalities	[15,000,000]	<u>26,550,000</u>
State Administered General Assistance	[101,442,033]	<u>105,053,927</u>
School Readiness	[3,850,000]	<u>3,553,387</u>
Connecticut Children's Medical Center	[7,000,000]	<u>6,750,000</u>
[Community Services	354,187]	
Lifestar Helicopter	[1,000,000]	<u>1,377,500</u>
PAYMENTS TO LOCAL GOVERNMENTS		
Child Day Care	3,629,725	
Human Resource Development	[77,666]	<u>69,899</u>
Human Resource Development-Hispanic		

**House Bill No. 6002**

Programs	[12,150]	<u>10,935</u>
Teen Pregnancy Prevention	[1,192,420]	<u>1,105,178</u>
Services to the Elderly	49,236	
Housing/Homeless Services	592,427	
AGENCY TOTAL	[3,659,820,806]	<u>3,687,360,024</u>
 TOTAL	 [3,659,820,806]	 <u>3,687,360,024</u>
HUMAN SERVICES		

EDUCATION, MUSEUMS, LIBRARIES

DEPARTMENT OF EDUCATION

Personal Services	[117,508,537]	<u>119,649,322</u>
Other Expenses	[12,325,909]	<u>12,860,460</u>
Equipment	60,500	
Institutes for Educators	[305,600]	<u>135,914</u>
Basic Skills Exam Teachers in Training	[1,207,821]	<u>1,189,704</u>
Teachers' Standards Implementation Program	[3,527,796]	<u>3,174,879</u>
Early Childhood Program	[2,806,535]	<u>2,774,779</u>
Development of Mastery Exams Grades 4, 6 and 8	[6,879,931]	<u>6,776,732</u>
Primary Mental Health	[507,980]	<u>499,610</u>
Adult Education Action	[285,000]	<u>280,725</u>
Vocational Technical School Textbooks	[800,000]	<u>500,000</u>
Repair of Instructional Equipment	[737,500]	<u>453,794</u>
Minor Repairs to Plant	[550,000]	<u>392,500</u>
Connecticut Pre-Engineering Program	[400,000]	<u>354,600</u>
[Contracting Instructional TV Services	209,000]	
Jobs for Connecticut Graduates	[275,000]	<u>200,000</u>
[Hartford Public School Monitors	260,000]	
[Developmentally Disabled Settlement	435,000]	
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
American School for the Deaf	[7,636,295]	<u>7,496,751</u>
RESC Leases	[2,300,000]	<u>1,193,337</u>

**House Bill No. 6002**

Regional Education Services	[3,297,384]	<u>2,923,131</u>
Omnibus Education Grants State Supported		
Schools	[2,829,000]	<u>3,476,065</u>
Head Start Services	[3,100,000]	<u>3,053,500</u>
Head Start Enhancement	[2,000,000]	<u>1,970,000</u>
Family Resource Centers	[6,132,500]	<u>5,840,512</u>
[Nutmeg Games	50,000]	
Charter Schools	16,254,000	
PAYMENTS TO LOCAL GOVERNMENTS		
Vocational Agriculture	[2,816,700]	<u>2,409,030</u>
Transportation of School Children	[50,000,000]	<u>45,410,000</u>
Adult Education	[18,600,000]	<u>16,910,000</u>
Health and Welfare Services Pupils Private		
Schools	4,000,000	
Education Equalization Grants	[1,515,500,000]	<u>1,516,250,000</u>
Bilingual Education	[2,359,087]	<u>2,241,087</u>
Priority School Districts	[83,242,509]	<u>81,622,258</u>
Young Parents Program	[259,080]	<u>233,172</u>
Interdistrict Cooperation	12,960,424	
School Breakfast Program	1,559,805	
Excess Cost - Student Based	[69,000,000]	<u>66,000,000</u>
[Excess Cost - Equity	7,500,000]	
Non-Public School Transportation	[5,300,000]	<u>4,474,000</u>
School to Work Opportunities	[250,000]	<u>225,000</u>
Youth Service Bureaus	2,927,612	
OPEN Choice Program	8,740,000	
Lighthouse Schools	300,000	
[Transitional School Districts	1,000,000]	
Early Reading Success	[706,461]	<u>2,236,461</u>
Magnet Schools	[45,188,220]	<u>44,776,220</u>
AGENCY TOTAL	[2,024,891,186]	<u>2,004,785,884</u>

BOARD OF EDUCATION AND SERVICES  
FOR THE BLIND

**House Bill No. 6002**

Personal Services	[5,325,390]	<u>5,414,990</u>
Other Expenses	[1,535,218]	<u>1,512,190</u>
Equipment	1,000	
<u>Educational Aid for Blind and Visually</u>		
<u>Handicapped Children</u>		<u>7,476,945</u>
OTHER THAN PAYMENTS TO LOCAL		
GOVERNMENTS		
Supplementary Relief and Services	[123,350]	<u>121,500</u>
[Education of Handicapped Blind Children	5,738,166]	
Vocational Rehabilitation	[1,004,522]	<u>989,454</u>
[Education of Pre-School Blind Children	124,887]	
Special Training for the Deaf Blind	[354,540]	<u>349,222</u>
Connecticut Radio Information Service	44,477	
PAYMENTS TO LOCAL GOVERNMENTS		
[Services for Persons With Impaired Vision	442,672]	
[Tuition and Services-Public School Children	1,171,220]	
AGENCY TOTAL	[15,865,442]	<u>15,909,778</u>
COMMISSION ON THE DEAF AND HEARING		
IMPAIRED		
Personal Services	[817,585]	<u>767,585</u>
Other Expenses	[165,686]	<u>163,201</u>
Equipment	1,000	
Part-time Interpreters	200,000	
AGENCY TOTAL	[1,184,271]	<u>1,131,786</u>
STATE LIBRARY		
Personal Services	6,432,563	
Other Expenses	[903,615]	<u>890,061</u>
Equipment	1,000	
<u>State-Wide Digital Library</u>		<u>500,229</u>
Interlibrary Loan Delivery Service	[255,555]	<u>251,722</u>
[Voices of Children - Parents Academy	50,000]	
Legal/Legislative Library Materials	[758,573]	<u>500,000</u>

**House Bill No. 6002**

State-Wide Data Base Program	[758,969]	<u>710,206</u>
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Basic Cultural Resources Grant	[2,903,311]	<u>2,524,534</u>
Support Cooperating Library Service Units	[777,674]	<u>600,000</u>
Connecticut Educational Telecommunications Corporation	[753,358]	<u>492,058</u>
PAYMENTS TO LOCAL GOVERNMENTS		
Grants to Public Libraries	[472,109]	<u>347,109</u>
Connecticard Payments	[726,028]	<u>676,028</u>
AGENCY TOTAL	[14,792,755]	<u>13,925,510</u>

DEPARTMENT OF HIGHER EDUCATION

Personal Services	[2,374,446]	<u>2,246,479</u>
Other Expenses	[210,134]	<u>199,397</u>
Equipment	1,000	
Minority Advancement Program	[2,656,242]	<u>2,485,579</u>
Alternate Route to Certification	27,033	
National Service Act	[501,312]	<u>469,102</u>
International Initiatives	[350,000]	<u>221,625</u>
Minority Teacher Incentive Program	[541,500]	<u>506,709</u>
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Capitol Scholarship Program	[5,415,182]	<u>5,250,000</u>
Awards to Children of Deceased/Disabled Veterans	[6,000]	<u>4,000</u>
Connecticut Independent College Student Grant	[18,776,929]	<u>15,888,864</u>
Connecticut Aid for Public College Students	[19,759,261]	<u>18,462,872</u>
<u>Connecticut Aid to Charter Oak</u>		<u>25,000</u>
AGENCY TOTAL	[50,619,039]	<u>45,787,660</u>

UNIVERSITY OF CONNECTICUT

Operating Expenses	[192,168,592]	<u>182,560,162</u>
Tuition Freeze	[4,991,458]	<u>4,741,885</u>

**House Bill No. 6002**

Regional Campus Enhancement	[6,700,000]	<u>6,365,000</u>
AGENCY TOTAL	[203,860,050]	<u>193,667,047</u>

UNIVERSITY OF CONNECTICUT HEALTH  
CENTER

Operating Expenses	[76,134,980]	<u>74,134,104</u>
AHEC for Bridgeport	155,707	
AGENCY TOTAL	[76,290,687]	<u>74,289,811</u>

CHARTER OAK STATE COLLEGE

Operating Expenses	[1,400,825]	<u>1,360,825</u>
Distance Learning Consortium	[578,438]	<u>1,009,414</u>
AGENCY TOTAL	[1,979,263]	<u>2,370,239</u>

TEACHERS' RETIREMENT BOARD

Personal Services	1,679,755	
Other Expenses	[762,046]	<u>750,615</u>
Equipment	1,000	

OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Retirement Contributions	[214,737,033]	<u>179,823,603</u>
Retirees Health Service Cost	[7,187,896]	<u>6,487,896</u>
Municipal Retiree Health Insurance Costs	[5,649,600]	<u>5,299,600</u>
AGENCY TOTAL	[230,017,330]	<u>194,042,469</u>

REGIONAL COMMUNITY - TECHNICAL  
COLLEGES

Operating Expenses	[129,270,333]	<u>122,806,816</u>
Tuition Freeze	[2,274,658]	<u>2,160,925</u>
<u>Woodland Street Operating Expenses</u>		<u>516,293</u>
AGENCY TOTAL	[131,544,991]	<u>125,484,034</u>

CONNECTICUT STATE UNIVERSITY

Operating Expenses	[138,491,264]	<u>131,566,701</u>
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**House Bill No. 6002**

Tuition Freeze	[6,904,180]	<u>6,561,971</u>
Waterbury-Based Degree Program	[861,704]	<u>818,619</u>
AGENCY TOTAL	[146,257,148]	<u>138,947,291</u>

TOTAL	[2,897,302,162]	<u>2,810,341,509</u>
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EDUCATION, MUSEUMS, LIBRARIES

CORRECTIONS

DEPARTMENT OF CORRECTION

Personal Services	[348,787,502]	<u>348,961,197</u>
Other Expenses	[68,651,710]	<u>66,969,459</u>
Equipment	[99,604]	<u>217,295</u>
Out of State Beds	12,305,406	
[Community Justice Center	5,000,000]	
Workers' Compensation Claims	[16,339,142]	<u>18,338,655</u>
Inmate Medical Services	[74,966,615]	<u>75,319,908</u>

OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Aid to Paroled and Discharged Inmates	[50,000]	<u>47,500</u>
Legal Services to Prisoners	[780,300]	<u>768,595</u>
Volunteer Services	[192,620]	<u>189,731</u>
Community Residential Services	[17,579,180]	<u>17,478,614</u>
Community Non-Residential Services	[1,395,451]	<u>1,405,440</u>
AGENCY TOTAL	[546,147,530]	<u>542,001,800</u>

BOARD OF PARDONS

Other Expenses	34,141	
Equipment	100	
AGENCY TOTAL	34,241	

BOARD OF PAROLE

Personal Services	[5,130,878]	<u>5,331,298</u>
Other Expenses	[1,247,829]	<u>1,332,980</u>

**House Bill No. 6002**

Equipment	[16,609]	<u>24,909</u>
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS		
Community Residential Services	[1,872,437]	<u>1,948,811</u>
Community Non-Residential Services	[1,970,808]	<u>1,924,157</u>
AGENCY TOTAL	[10,238,561]	<u>10,562,155</u>

DEPARTMENT OF CHILDREN AND FAMILIES

Personal Services	[214,554,699]	<u>212,054,699</u>
Other Expenses	[31,201,153]	<u>35,666,879</u>
Equipment	1,000	
Short Term Residential Treatment	[649,242]	<u>653,594</u>
Substance Abuse Screening	[1,768,832]	<u>1,713,688</u>
Workers' Compensation Claims	[2,970,057]	<u>4,017,753</u>
Local Systems of Care	[1,180,929]	<u>1,188,845</u>

OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Health Assessment and Consultation	[324,941]	<u>265,568</u>
Grants for Psychiatric Clinics for Children	[13,673,602]	<u>13,756,541</u>
Day Treatment Centers for Children	[5,693,910]	<u>5,730,648</u>
Juvenile Justice Outreach Services	[1,828,827]	<u>2,630,496</u>
Child Abuse and Neglect Intervention	[5,552,415]	<u>5,359,850</u>
Community Emergency Services	[176,576]	<u>177,760</u>
Community Based Prevention Programs	[2,750,117]	<u>2,768,544</u>
Family Violence Outreach and Counseling	[498,759]	<u>502,104</u>
Support for Recovering Families	[1,757,793]	<u>1,768,748</u>
No Nexus Special Education	[6,183,750]	<u>5,920,582</u>
Family Preservation Services	[6,501,272]	<u>6,542,679</u>
Substance Abuse Treatment	[2,687,538]	<u>3,245,553</u>
Child Welfare Support Services	[598,776]	<u>352,091</u>
Board and Care for Children - Adoption	[40,534,633]	<u>40,737,554</u>
Board and Care for Children - Foster	[75,603,518]	<u>78,920,766</u>
Board and Care for Children - Residential	[139,678,045]	<u>127,823,706</u>
Individualized Family Supports	[3,656,365]	<u>7,569,948</u>

**House Bill No. 6002**

Community KidCare	[14,884,257]	<u>14,308,617</u>
AGENCY TOTAL	[574,911,006]	<u>573,678,213</u>

COUNCIL TO ADMINISTER THE CHILDREN'S  
TRUST FUND

Children's Trust Fund	[6,341,951]	<u>5,771,904</u>
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COUNTY SHERIFFS

Personal Services	7	
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TOTAL	[1,137,673,296]	<u>1,132,048,320</u>
CORRECTIONS		

JUDICIAL

JUDICIAL DEPARTMENT

Personal Services	[212,044,385]	<u>239,620,372</u>
Other Expenses	[57,895,719]	<u>59,935,429</u>
Equipment	[2,191,808]	<u>2,208,181</u>
Alternative Incarceration Program	[35,250,737]	<u>34,367,109</u>
Justice Education Center, Inc.	[232,402]	<u>219,426</u>
Juvenile Alternative Incarceration	[21,658,026]	<u>21,814,228</u>
Juvenile Justice Centers	[2,847,224]	<u>2,867,760</u>
[Probate Court	500,000]	
Truancy Services	[1,029,994]	<u>363,485</u>
[Sheriffs Transition Account	30,840,037]	
AGENCY TOTAL	[364,490,332]	<u>361,395,990</u>

[STATE MARSHAL COMMISSION]

[Personal Services	173,383]	
[Other Expenses	55,000]	
[Equipment	100]	
[AGENCY TOTAL	228,483]	

**House Bill No. 6002**

**PUBLIC DEFENDER SERVICES COMMISSION**

Personal Services	[26,923,750]	<u>26,898,944</u>
Other Expenses	[1,372,816]	<u>1,352,224</u>
Equipment	[74,655]	<u>73,535</u>
Special Public Defenders - Contractual	[2,060,000]	<u>2,029,100</u>
Special Public Defenders - Non-Contractual	[3,057,677]	<u>3,011,812</u>
Expert Witnesses	[1,096,335]	<u>1,079,890</u>
Training and Education	[85,795]	<u>84,508</u>
AGENCY TOTAL	[34,671,028]	<u>34,530,013</u>

TOTAL	[399,389,843]	<u>395,926,003</u>
JUDICIAL		

**NON-FUNCTIONAL**

**MISCELLANEOUS APPROPRIATION TO THE  
GOVERNOR**

Governor's Contingency Account	17,100	
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**DEBT SERVICE - STATE TREASURER  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS**

Debt Service	[989,554,225]	<u>955,893,502</u>
UConn 2000 - Debt Service	[68,107,093]	<u>64,984,537</u>
CHEFA Day Care Security	2,500,000	
AGENCY TOTAL	[1,060,161,318]	<u>1,023,378,039</u>

**RESERVE FOR SALARY ADJUSTMENTS**

Reserve for Salary Adjustments	[34,046,700]	<u>24,818,018</u>
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**WORKERS' COMPENSATION CLAIMS -  
DEPARTMENT OF ADMINISTRATIVE  
SERVICES**

Workers' Compensation Claims	[10,819,776]	<u>12,515,640</u>
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**House Bill No. 6002**

MISCELLANEOUS APPROPRIATIONS  
ADMINISTERED BY THE COMPTROLLER

JUDICIAL REVIEW COUNCIL

Personal Services	121,895
Other Expenses	32,959
Equipment	1,000
AGENCY TOTAL	155,854

FIRE TRAINING SCHOOLS  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Willimantic	[81,650]	<u>80,425</u>
Torrington	55,050	
New Haven	36,850	
Derby	36,850	
Wolcott	48,300	
Fairfield	36,850	
Hartford	65,230	
Middletown	28,610	
AGENCY TOTAL	[389,390]	<u>388,165</u>

MAINTENANCE OF COUNTY BASE FIRE  
RADIO NETWORK

OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Maintenance of County Base Fire Radio Network	21,850
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MAINTENANCE OF STATE-WIDE FIRE RADIO  
NETWORK

OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Maintenance of State-Wide Fire Radio Network	14,570
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**House Bill No. 6002**

EQUAL GRANTS TO THIRTY-FOUR NON-  
PROFIT GENERAL HOSPITALS  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Equal Grants to Thirty-Four Non-profit General  
Hospitals

34

POLICE ASSOCIATION OF CONNECTICUT  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Police Association of Connecticut

[169,100]

166,563

CONNECTICUT STATE FIREFIGHTERS  
ASSOCIATION  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Connecticut State Firefighters Association

[197,676]

194,711

INTERSTATE ENVIRONMENTAL  
COMMISSION  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Interstate Environmental Commission

[86,250]

84,956

REIMBURSEMENTS TO TOWNS FOR LOSS OF  
TAXES ON STATE PROPERTY  
PAYMENTS TO LOCAL GOVERNMENTS

Reimbursement to Towns for Loss of Taxes on  
State Property

[63,778,364]

64,959,215

REIMBURSEMENTS TO TOWNS FOR LOSS OF  
TAXES ON PRIVATE TAX-EXEMPT  
PROPERTY

**House Bill No. 6002**

PAYMENTS TO LOCAL GOVERNMENTS

Reimbursements to Towns for Loss of Taxes on

Private Tax-Exempt Property	[97,163,154]	<u>100,931,737</u>
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UNEMPLOYMENT COMPENSATION

Other Expenses	3,340,000	
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STATE EMPLOYEES RETIREMENT

CONTRIBUTIONS

Other Expenses	285,694,490	
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HIGHER EDUCATION ALTERNATIVE

RETIREMENT SYSTEM

Other Expenses	16,634,046	
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PENSIONS AND RETIREMENTS - OTHER

STATUTORY

Other Expenses	1,765,000	
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JUDGES AND COMPENSATION

COMMISSIONERS RETIREMENT

Other Expenses	10,125,658	
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INSURANCE - GROUP LIFE

Other Expenses	4,179,615	
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TUITION REIMBURSEMENT - TRAINING AND

TRAVEL

Other Current Expenses	[490,000]	<u>1,899,500</u>
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EMPLOYERS SOCIAL SECURITY TAX

Other Expenses	[183,170,428]	<u>183,795,428</u>
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STATE EMPLOYEES HEALTH SERVICE COST

**House Bill No. 6002**

Other Expenses	[289,980,512]	<u>291,280,512</u>
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RETIRED STATE EMPLOYEES HEALTH  
SERVICE COST

Other Expenses	232,272,000	
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TOTAL	[1,189,627,991]	<u>1,197,903,904</u>
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MISCELLANEOUS APPROPRIATIONS  
ADMINISTERED BY THE COMPTROLLER

TOTAL	[2,294,672,885]	<u>2,258,632,701</u>
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NON-FUNCTIONAL

TOTAL	[12,538,230,964]	<u>12,343,703,703</u>
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GENERAL FUND

LESS:

Legislative Unallocated Lapses	[-1,200,000]	<u>-2,400,000</u>
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Estimated Unallocated Lapses	[-78,000,000]	<u>-172,000,000</u>
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General Personal Services Reduction	-13,500,000	
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General Other Expenses Reductions	-11,000,000	
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<u>Extraordinary Governor's Recision Authority</u>		<u>-35,000,000</u>
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<u>Hard Freeze - Executive and Judicial Branch</u>		<u>-7,000,000</u>
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<u>Executive and Judicial Branch Manager and</u>		
<u>Confidential Wage Freeze</u>		<u>-11,000,000</u>

[DOIT Lapse	-1,500,000]	
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[Energy Costs	-1,650,000]	
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NET -	[12,431,380,964]	<u>12,091,803,703</u>
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GENERAL FUND

Sec. 20. Section 12 of special act 01-1 of the June special session is

**House Bill No. 6002**

amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

SPECIAL TRANSPORTATION FUND

2002-2003

\$

GENERAL GOVERNMENT

STATE INSURANCE AND RISK  
MANAGEMENT BOARD

Other Expenses 2,457,000

TOTAL 2,457,000  
GENERAL GOVERNMENT

REGULATION AND PROTECTION

DEPARTMENT OF MOTOR VEHICLES

Personal Services [39,622,867] 39,524,863

Other Expenses [14,030,887] 13,981,550

Equipment 641,064

Insurance Enforcement [514,403] 574,403

AGENCY TOTAL [54,809,221] 54,721,880

TOTAL [54,809,221] 54,721,880

REGULATION AND PROTECTION

TRANSPORTATION

**House Bill No. 6002**

DEPARTMENT OF TRANSPORTATION

Personal Services	131,450,727	
Other Expenses	[31,142,486]	<u>33,770,518</u>
Equipment	1,500,000	
Minor Capital Projects	350,000	
Highway & Bridge Renewal-Equipment	4,000,000	
Highway Planning and Research	2,768,418	
Handicapped Access Program	8,259,400	
Hospital Transit for Dialysis	113,000	
Rail Operations	[69,585,798]	<u>69,659,185</u>
Bus Operations	72,128,068	
Dial-A-Ride	2,500,000	
Highway and Bridge Renewal	12,000,000	

PAYMENTS TO LOCAL GOVERNMENTS

<u>Town Aid Road Grants</u>		<u>25,000,000</u>
AGENCY TOTAL	[335,797,897]	<u>363,499,316</u>

TOTAL	[335,797,897]	<u>363,499,316</u>
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TRANSPORTATION

NON-FUNCTIONAL

DEBT SERVICE – STATE TREASURER  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Debt Service	[418,206,121]	<u>414,608,531</u>
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RESERVE FOR SALARY ADJUSTMENTS

Reserve for Salary Adjustments	[1,454,600]	<u>3,264,400</u>
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WORKERS' COMPENSATION CLAIMS -  
DEPARTMENT OF ADMINISTRATIVE  
SERVICES

Workers' Compensation Claims	[3,347,639]	<u>3,374,737</u>
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**House Bill No. 6002**

MISCELLANEOUS APPROPRIATIONS  
ADMINISTERED BY THE COMPTROLLER

UNEMPLOYMENT COMPENSATION

Other Expenses	275,000	
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STATE EMPLOYEES RETIREMENT  
CONTRIBUTIONS

Other Expenses	40,214,000	
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INSURANCE – GROUP LIFE

Other Expenses	240,000	
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EMPLOYERS SOCIAL SECURITY TAX

Other Expenses	13,432,000	
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STATE EMPLOYEES HEALTH SERVICE COST

Other Expenses	22,075,300	
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TOTAL	76,236,300	
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MISCELLANEOUS APPROPRIATIONS  
ADMINISTERED BY THE COMPTROLLER

TOTAL	[499,244,660]	<u>497,483,968</u>
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NON-FUNCTIONAL

TOTAL	[892,308,778]	<u>918,162,164</u>
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SPECIAL TRANSPORTATION FUND

LESS:

Estimated Unallocated Lapses	-15,000,000	
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**House Bill No. 6002**

NET –	[877,308,778]	<u>903,162,164</u>
SPECIAL TRANSPORTATION FUND		

Sec. 21. Section 13 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

MASHANTUCKET PEQUOT AND MOHEGAN  
FUND

2002-2003

\$

NON-FUNCTIONAL

MISCELLANEOUS APPROPRIATIONS  
ADMINISTERED BY THE COMPTROLLER

MASHANTUCKET PEQUOT AND MOHEGAN  
FUND GRANT

PAYMENTS TO LOCAL GOVERNMENTS

Grants to Towns	[120,000,000]	<u>134,220,000</u>
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TOTAL	[120,000,000]	<u>134,220,000</u>
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MISCELLANEOUS APPROPRIATIONS  
ADMINISTERED BY THE COMPTROLLER

TOTAL	[120,000,000]	<u>134,220,000</u>
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NON-FUNCTIONAL

**House Bill No. 6002**

TOTAL	[120,000,000]	<u>134,220,000</u>
MASHANTUCKET PEQUOT AND MOHEGAN FUND		

Sec. 22. Section 14 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

SOLDIERS, SAILORS AND MARINES' FUND

2002-2003

\$

GENERAL GOVERNMENT

DEPARTMENT OF VETERANS AFFAIRS  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Burial Expenses	4,500
Headstones	243,000
AGENCY TOTAL	247,500

TOTAL	247,500
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GENERAL GOVERNMENT

REGULATION AND PROTECTION

MILITARY DEPARTMENT

<u>Honor Guards</u>	<u>225,000</u>
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**House Bill No. 6002**

TOTAL 225,000

REGULATION AND PROTECTION

HUMAN SERVICES

SOLDIERS, SAILORS AND MARINES' FUND

Personal Services [826,652] 788,188

Other Expenses [451,985] 436,526

Equipment 7,500

Award Payments to Veterans 1,930,000

AGENCY TOTAL [3,216,137] 3,162,214

TOTAL [3,216,137] 3,162,214

HUMAN SERVICES

TOTAL [3,463,637] 3,634,714

SOLDIERS, SAILORS AND MARINES' FUND

Sec. 23. Section 15 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

REGIONAL MARKET OPERATION FUND

2002-2003

\$

CONSERVATION AND DEVELOPMENT

DEPARTMENT OF AGRICULTURE

**House Bill No. 6002**

Personal Services	[414,345]	<u>416,617</u>
Other Expenses	[313,000]	<u>340,000</u>
Equipment	30,000	
AGENCY TOTAL	[757,345]	<u>786,617</u>

TOTAL	[757,345]	<u>786,617</u>
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CONSERVATION AND DEVELOPMENT

NON-FUNCTIONAL

DEBT SERVICE – STATE TREASURER  
OTHER THAN PAYMENTS TO LOCAL  
GOVERNMENTS

Debt Service	143,967
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TOTAL	143,967
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NON-FUNCTIONAL

TOTAL	[901,312]	<u>930,584</u>
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REGIONAL MARKET OPERATION FUND

Sec. 24. Section 16 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

BANKING FUND

2002-2003

\$

**House Bill No. 6002**

REGULATION AND PROTECTION

DEPARTMENT OF BANKING

Personal Services	[9,078,375]	<u>8,931,527</u>
Other Expenses	[2,390,399]	<u>2,757,947</u>
Equipment	134,100	
Fringe Benefits	[3,792,572]	<u>3,731,057</u>
Indirect Overhead	379,313	
AGENCY TOTAL	[15,774,759]	<u>15,933,944</u>

TOTAL	[15,774,759]	<u>15,933,944</u>
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REGULATION AND PROTECTION

TOTAL	[15,774,759]	<u>15,933,944</u>
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BANKING FUND

Sec. 25. Section 17 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

INSURANCE FUND

2002-2003

\$

REGULATION AND PROTECTION

[DEPARTMENT OF INSURANCE]

INSURANCE DEPARTMENT

Personal Services	[12,197,414]	<u>11,939,383</u>
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**House Bill No. 6002**

Other Expenses	2,957,011	
Equipment	197,000	
Fringe Benefits	[5,098,620]	<u>4,992,097</u>
Indirect Overhead	506,360	
AGENCY TOTAL	[20,956,405]	<u>20,591,851</u>

OFFICE OF THE MANAGED CARE

OMBUDSMAN

Personal Services	[289,643]	<u>300,369</u>
Other Expenses	[300,351]	<u>283,051</u>
Fringe Benefits	[119,277]	<u>125,851</u>
AGENCY TOTAL	709,271	

TOTAL	[21,665,676]	<u>21,301,122</u>
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REGULATION AND PROTECTION

TOTAL	[21,665,676]	<u>21,301,122</u>
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INSURANCE FUND

Sec. 26. Section 18 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

CONSUMER COUNSEL AND PUBLIC UTILITY  
CONTROL FUND

2002-2003

\$

REGULATION AND PROTECTION

**House Bill No. 6002**

OFFICE OF CONSUMER COUNSEL		
Personal Services	[1,396,131]	<u>1,334,532</u>
Other Expenses	489,924	
Equipment	16,000	
Fringe Benefits	[586,196]	<u>560,146</u>
Indirect Overhead	199,899	
AGENCY TOTAL	[2,688,150]	<u>2,600,501</u>
DEPARTMENT OF PUBLIC UTILITY CONTROL		
Personal Services	[11,181,376]	<u>11,095,843</u>
Other Expenses	[2,300,228]	<u>2,274,761</u>
Equipment	[189,810]	<u>184,034</u>
Fringe Benefits	[4,711,159]	<u>4,674,355</u>
Indirect Overhead	160,469	
Nuclear Energy Advisory Council	12,000	
AGENCY TOTAL	[18,555,042]	<u>18,401,462</u>
TOTAL	[21,243,192]	<u>21,001,963</u>
REGULATION AND PROTECTION		
TOTAL	[21,243,192]	<u>21,001,963</u>
CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND		

Sec. 27. Section 19 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

The following sums are appropriated for the annual period as indicated and for the purposes described.

WORKERS' COMPENSATION FUND

**House Bill No. 6002**

2002-2003

\$

REGULATION AND PROTECTION

LABOR DEPARTMENT

Occupational Health Clinics 706,810

WORKERS' COMPENSATION COMMISSION

Personal Services	[9,867,856]	<u>9,767,856</u>
Other Expenses	[3,554,183]	<u>3,454,183</u>
Equipment	365,500	
Criminal Justice Fraud Unit	450,097	
Rehabilitative Services	[4,541,140]	<u>4,319,991</u>
Fringe Benefits	[3,637,683]	<u>3,601,393</u>
Indirect Overhead	1,613,524	
AGENCY TOTAL	[24,029,983]	<u>23,572,544</u>

TOTAL	[24,736,793]	<u>24,279,354</u>
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REGULATION AND PROTECTION

TOTAL	[24,736,793]	<u>24,279,354</u>
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WORKERS' COMPENSATION FUND

Sec. 28. (*Effective July 1, 2002*) Notwithstanding the provisions of section 3-99c of the general statutes, up to \$1,956,995 of the costs incurred by the Secretary of the State, for Other Expenses, during the fiscal year ending June 30, 2003, shall be paid from the commercial recording account established under said section 3-99c.

Sec. 29. (*Effective July 1, 2002*) (a) Any funds appropriated to the

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Office of Policy and Management and carried forward pursuant to subsection (c) of section 4-89 of the general statutes, for Interlocal Agreements, shall be used to fund agreements signed prior to June 30, 2001.

(b) Up to \$2,037,051 appropriated to the Office of Policy and Management in section 1 of special act 01-1, as amended by section 1 of special act 01-1 of the November 15 special session, for PAYMENTS TO LOCAL GOVERNMENTS, Drug Enforcement Program, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

(c) The unexpended balance of funds appropriated to the Office of Policy and Management in section 1 of special act 01-1 of the June special session, as amended by section 1 of special act 01-1 of the November 15 special session, for P.I.L.O.T. – New Manufacturing Machinery and Equipment, shall not lapse on June 30, 2002, and such funds shall continue to be available for such purpose during the fiscal year ending June 30, 2003.

Sec. 30. (*Effective July 1, 2002*) (a) The unexpended balance of funds appropriated to the Office of Workforce Competitiveness, for Jobs Funnel, in excess of \$700,000, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

(b) Up to \$2,000,000 appropriated to the Office of Workforce Competitiveness in section 1 of special act 01-1 of the June special session, as amended by section 1 of special act 01-1 of the November 15 special session, for CETC Workforce, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

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Sec. 31. (*Effective July 1, 2002*) (a) The unexpended balance of funds appropriated to the Labor Department in section 1 of special act 01-1 of the June special session, as amended by section 1 of special act 01-1 of the November 15 special session, for the Workforce Investment Act, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

(b) The unexpended balance of funds appropriated to the Labor Department in section 1 of special act 99-10, for the Welfare-to-Work Grant Program, and carried forward by section 73 of special act 00-13, and carried forward in subsection (a) of section 35 of special act 01-1 of the June special session, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

Sec. 32. (*Effective July 1, 2002*) (a) For the fiscal years ending June 30, 2002, June 30, 2003, and June 30, 2004, any reimbursements received by the Department of Social Services, for the costs of data processing system changes and/or hardware, required to implement the Health Insurance Portability & Accountability Act, shall be deposited in the General Fund and credited to a nonlapsing account in the Department of Information Technology, and shall be available for expenditure by the Department of Information Technology, for the costs of implementing the Health Insurance Portability & Accountability Act.

(b) The funds made available to the Department of Information Technology in subsection (a) of this section, for the Health Insurance Portability & Accountability Act, may be transferred by said department to state agencies requiring funds for such purpose. The Department of Information Technology shall submit a quarterly report to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, through the Legislative Office of Fiscal Analysis, which

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sets forth the amount of funds received pursuant to said subsection (a) and the purposes for which such funds are expended.

(c) For the fiscal years ending June 30, 2003, and June 30, 2004, the Department of Social Services may, in compliance with an advanced planning document approved by the Department of Health and Human Services for the development of a data warehouse, establish a receivable for the reimbursement anticipated from such project.

Sec. 33. Section 5 of public act 01-3 of the June special session is amended to read as follows (*Effective July 1, 2002*):

Except as otherwise provided in subsection (w) of section 47 of special act 01-1 of the June special session, as amended by section 1 of special act 01-1 of the November 15 special session, for the fiscal [years] year ending June 30, 2002, [and June 30, 2003,] the following sums shall be paid from funds appropriated to the Department of Social Services for Hospital Finance Restructuring Funding in subsection (a) of section 47 of special act 01-1 of the June special session:

Hartford Hospital	[\$3,412,244]	<u>\$2,412,048</u>
Saint Francis Hospital	[\$2,709,583]	<u>\$1,710,048</u>
Stamford Hospital	[\$2,485,860]	<u>\$1,486,049</u>

Sec. 34. (*Effective July 1, 2002*) The unexpended balance of funds appropriated to the Department of Correction in section 1 of special act 01-1 of the June special session, as amended by section 1 of special act 01-1 of the November 15 special session, for Inmate Medical Services, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

Sec. 35. Subsection (b) of section 34 of special act 01-1 of the June special session is amended to read as follows (*Effective July 1, 2002*):

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(b) The unexpended balance of funds appropriated to the Department of Motor Vehicles in section 49 of special act 99-10, for the purpose of converting to fully reflective license plates, and carried forward by said section, shall not lapse on ~~[June 30, 2001]~~ June 30, 2002, and such funds shall continue to be available for expenditure for such purpose and for the upgrading of the Department of Motor Vehicles' registration and driver license data processing systems during the fiscal ~~[years]~~ year ending ~~[June 30, 2002, and]~~ June 30, 2003.

Sec. 36. (*Effective July 1, 2002*) Notwithstanding the provisions of subdivision (2) of subsection (c) of section 4-28e of the general statutes, for the fiscal year ending June 30, 2003, no transfer shall be made from the Tobacco Settlement Fund and any balance in said Tobacco Settlement Fund shall be credited to the resources of the General Fund.

Sec. 37. (*Effective July 1, 2002*) (a) Notwithstanding the provisions of section 4-28f of the general statutes, as amended, for the fiscal year ending June 30, 2003, no transfers shall be made to the Tobacco and Health Trust Fund and any balance in said fund in excess of \$3,757,139 shall be credited to the resources of the General Fund.

(b) Notwithstanding the provisions of section 4-28f of the general statutes, as amended, for the fiscal year ending June 30, 2003, no transfers shall be made to the Biomedical Research Trust Fund and any balance in said fund shall be credited to the resources of the General Fund.

Sec. 38. (*Effective July 1, 2002*) (a) Notwithstanding the provisions of section 10-183z of the general statutes, the appropriation to the Teachers' Retirement Fund for the fiscal year ending June 30, 2003, shall be at the level of the appropriation for such purpose in section 11 of special act 01-1 of the June special session, as amended by section 1 of this act.

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(b) Up to \$50,000 of the unexpended balance of funds appropriated to the Office of the Chief Medical Examiner in section 1 of special act 01-1 of the June special session, as amended by section 1 of special act 01-1 of the November 15 special session, for Medicolegal Investigations, shall not lapse on June 30, 2002, and such funds shall be transferred to Equipment, for the purchase of death investigation software, and shall be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

Sec. 39. (*Effective from passage*) (a) Prior to June 30, 2003, the State Treasurer is authorized to liquidate stock, currently held in trust in the Anthem Demutualization Fund, for its fair market value.

(b) Notwithstanding any provision of the general statutes, for the fiscal year ending June 30, 2003, the sum of \$127,200,000 realized from the liquidation of stock, in the Anthem Demutualization Fund, pursuant to subsection (a) of this section, shall be credited to the resources of the General Fund.

Sec. 40. (*Effective July 1, 2002*) Notwithstanding any provision of the general statutes, for the fiscal year ending June 30, 2003, the sum of \$1,000,000 in the Private Occupational School Student Benefit account, shall be credited to the resources of the General Fund.

Sec. 41. (*Effective July 1, 2002*) (a) Notwithstanding any provision of the general statutes, for the fiscal year ending June 30, 2003, the sum of \$85,000,000 shall be transferred from the resources of the Connecticut Housing Finance Authority, and credited to the resources of the General Fund.

(b) Notwithstanding any provision of the general statutes, for the fiscal year ending June 30, 2003, the sum of \$7,500,000 shall be transferred from the resources of Connecticut Innovations, Incorporated, and credited to the resources of the General Fund.

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(c) Notwithstanding any provision of the general statutes, for the fiscal year ending June 30, 2003, the sum of \$7,500,000 shall be transferred from the resources of the Connecticut Development Authority, and credited to the resources of the General Fund.

Sec. 42. (*Effective July 1, 2002*) Notwithstanding any provision of the general statutes, for the fiscal year ending June 30, 2003, the sum of \$5,000,000 shall be transferred from the Probate Court Administration Fund to the General Fund.

Sec. 43. (*Effective July 1, 2002*) For the fiscal year ending June 30, 2003, the sum of \$400,000 appropriated to the Labor Department, for Vocational and Manpower Training, shall be expended, within existing budgetary resources, as follows: (1) Displaced Homemakers - \$300,000; (2) Non-Traditional Occupational Training - \$100,000.

Sec. 44. (*Effective July 1, 2002*) (a) The sum of \$1,564,264 of the amount appropriated to the Department of Transportation in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward by subsection (2) of said section, for Transportation Strategy Board, shall be expended as follows: (1) \$1,000,000 for jobs access programs to Southeast Connecticut and Dial-A-Ride; (2) \$464,264 for consultant services for the Transportation Strategy Board; (3) \$100,000 for an urban downtown traffic plan.

(b) Notwithstanding the provisions of section 16 of public act 01-5 of the June special session, for the fiscal year ending June 30, 2003, funding for administrative and consulting services for the Connecticut Transportation Strategy Board established by section 2 of said public act 01-5, shall be in an amount not exceeding seven hundred thousand dollars.

Sec. 45. (*Effective July 1, 2002*) The sum of \$100,000 of the amount appropriated to the Department of Mental Health and Addiction

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Services in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward by subsection (2) of said section, for Community Mental Health Strategic Investment Fund, shall be transferred to Connecticut State University, for the Institute for Municipal and Regional Policy at the Center for Public Policy and Practical Politics at Central Connecticut State University.

Sec. 46. (*Effective July 1, 2002*) The sum of \$50,000 of the amount appropriated to The University of Connecticut, for the fiscal year ending June 30, 2003, for Operating Expenses, shall be used for the Veterinary Diagnostic Laboratory.

Sec. 47. (*Effective July 1, 2002*) During the fiscal year ending June 30, 2003, the Office of Policy and Management shall fund, within existing budgetary resources, the development of a Senior Citizen Website.

Sec. 48. (*Effective July 1, 2002*) Notwithstanding any provision of the general statutes or any provision of any public or special act, the following amounts shall be transferred and credited to the resources of the General Fund, for the fiscal year ending June 30, 2003, as follows: (1) New Home Construction Guaranty Fund, \$1,200,000; and (2) Commercial Recording Account, \$1,000,000.

Sec. 49. (*Effective July 1, 2002*) (a) The unexpended balance of funds appropriated to Legislative Management in subsection (a) of section 35 of special act 00-1, and carried forward by subsection (a) of section 50 of special act 01-1 of the June special session, for Capitol Security Improvement Projects, shall not lapse on June 30, 2002, and shall be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

(b) The unexpended balance of funds appropriated to Legislative Management, in subsection (a) of section 35 of special act 00-1, and carried forward by subsection (a) of section 50 of special act 01-1 of the

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June special session, for Flag Restoration, shall not lapse on June 30, 2002, and shall be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

(c) Up to \$1,236,000 appropriated to Legislative Management in section 11 of special act 01-1 of the June special session, for Other Expenses, shall not lapse on June 30, 2002. Of such amount, \$783,000 shall be available for expenditure for such purpose during the fiscal year ending June 30, 2003, and \$453,000 shall be available for expenditure, for Personal Services, during the fiscal year ending June 30, 2003.

(d) The unexpended balance of funds appropriated to Legislative Management in subsection (a) of section 47 of special act 01-1 of the June special session, as amended by section 2 of special act 01-1 of the November 15 special session, for Minor Capital Improvements, shall not lapse on June 30, 2002, and such funds shall be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

(e) The sum of \$50,000 of the amount appropriated to Legislative Management, for CCDC Playground Improvements, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

Sec. 50. (*Effective July 1, 2002*) The sum of \$60,000 of the amount appropriated to the Judicial Department, for the fiscal year ending June 30, 2003, shall be used for Interpreter Services.

Sec. 51. (*Effective July 1, 2002*) The sum of \$250,000 of the amount appropriated to the Department of Mental Health and Addiction Services, for the fiscal year ending June 30, 2003, for Other Expenses, shall be used to maintain the services provided at Blue Hills Hospital,

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for the Blue Hills neighborhood in Hartford.

Sec. 52. (*Effective July 1, 2002*) (a) In addition to the provisions of section 4-85 of the general statutes and with respect to the fiscal year ending June 30, 2003, any allotment requisition and any allotment in force shall be subject to the following: If the Governor determines that a fiscal exigency related to the budget adopted for said fiscal year requires that certain reductions should be made in allotment requisitions or allotments in force or that estimated budget resources during the fiscal year will be insufficient to finance all appropriations in full and that the reductions made pursuant to section 4-85 of the general statutes will not be sufficient to address the exigency or insufficiency, the Governor may, on or after October 1, 2002, modify such allotment requisitions or allotments in force to the extent the Governor deems necessary above the amounts allowed under said section 4-85, subject to the provisions of this section. Before such modifications are effected the Governor shall file a report with the joint standing committee having cognizance of matters relating to appropriations and the budgets of state agencies and the joint standing committee having cognizance of matters relating to state finance, revenue and bonding describing the exigency which makes it necessary that certain reductions should be made or the basis for his determination that estimated budget resources will be insufficient to finance all appropriations in full. No modification of an allotment requisition or an allotment in force made by the Governor pursuant to this subsection shall result in a reduction of (1) more than five per cent of the total appropriation from any fund in excess of the amount allowed under said section 4-85 or more than five per cent of any appropriation in excess of the amount allowed under said section 4-85, or (2) more than thirty-five million dollars, except such limitations shall not apply in time of war, invasion or emergency caused by natural disaster.

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(b) Notwithstanding the provisions of section 4-85 of the general statutes, if a plan submitted in accordance with subsection (b) of said section 4-85 indicates that a reduction of more than three per cent of the total appropriation from any fund or more than five per cent of any appropriation is required to prevent a deficit, the Governor shall not be required to request that the Finance Advisory Committee approve any such reduction made pursuant to this section.

(c) The secretary shall submit copies of allotment requisitions thus approved or modified or allotments in force thus modified, with the reasons for any modifications, to the administrative heads of the budgeted agencies concerned, to the Comptroller and to the joint standing committee of the General Assembly having cognizance of appropriations and matters relating to the budgets of state agencies, through the Office of Fiscal Analysis. The Comptroller shall set up such allotments on the Comptroller's books and be governed thereby in the control of expenditures of budgeted agencies.

(d) The provisions of this section shall not be construed to authorize the Governor to reduce allotment requisitions or allotments in force concerning Education Cost Sharing, Town Aid Road. PILOT- Colleges and Hospitals or PILOT – State Owned Property.

Sec. 53. (*Effective July 1, 2002*) The funds appropriated to the Department of Correction, for the fiscal year ending June 30, 2002, for Workers' Compensation Claims, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

Sec. 54. (*Effective July 1, 2002*) (a) The funds appropriated to the Department of Transportation, for the fiscal year ending June 30, 2002, for Bus Operations, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

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(b) The funds appropriated to the Department of Transportation, for the fiscal year ending June 30, 2002, for Rail Operations, shall not lapse on June 30, 2002, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2003.

Sec. 55. (NEW) (*Effective from passage and applicable to income years commencing on or after January 1, 2002*) (a) As used in this section: (1) "S corporation" means any corporation which is an S corporation for federal income tax purposes, required to file an annual report with the Secretary of the State as provided in section 33-617 of the general statutes; (2) "limited liability company" or "LLC" means any limited liability company, which is treated as a partnership for federal income tax purposes, required to file an annual report with the Secretary of the State as provided in section 34-112 of the general statutes; (3) "limited liability partnership" or "LLP" means any limited liability partnership, required to file an annual report with the Secretary of the State as provided in section 34-413 of the general statutes; (4) "limited partnership" or "LP" means any limited partnership, required to file an annual report with the Secretary of the State as provided in section 34-38n of the general statutes; and (5) "taxable year" means taxable year, for federal income tax purposes.

(b) Each limited liability company, limited liability partnership, limited partnership and S corporation shall annually, on or before the fifteenth day of the fourth month following the close of its taxable year, pay to the Commissioner of Revenue Services a tax in the amount of two hundred fifty dollars.

(c) Upon failure of any such limited liability company, limited liability partnership, limited partnership or S corporation to pay the tax due under this section within thirty days of the due date, the provisions of section 12-35 of the general statutes shall apply with respect to the enforcement of this section and the collection of such tax.

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The warrant therein provided for shall be signed by the commissioner or an authorized agent of the commissioner. The amount of any such tax, penalty and interest shall be a lien, from the thirty-first day of December next preceding the due date of such tax until discharged by payment, against all real estate of the taxpayer within the state, and a certificate of such lien signed by the commissioner may be filed for record in the office of the clerk of any town in which such real estate is situated, provided no such lien shall be effective as against any bona fide purchaser or qualified encumbrancer of any interest in any such property. When any tax with respect to which a lien has been recorded under the provisions of this section has been satisfied, the commissioner, upon request of any interested party, shall issue a certificate discharging such lien, which certificate shall be recorded in the same office in which the lien was recorded. Any action for the foreclosure of such lien shall be brought by the Attorney General in the name of the state in the Superior Court for the judicial district in which the property subject to such lien is situated, or, if such property is located in two or more judicial districts, in the Superior Court for any one such judicial district, and the court may limit the time for redemption or order the sale of such property or make such other or further decree as it judges equitable.

(d) If any limited liability company, limited liability partnership, limited partnership or S corporation fails to pay the amount of tax reported to be due on such entity's return within the time specified under the provisions of this section, there shall be imposed a penalty of fifty dollars, which penalty shall be payable to, and recoverable by, the commissioner in the same manner as the tax imposed under this section. Subject to the provisions of section 12-3a of the general statutes, the commissioner may waive all or part of the penalties provided under this section when it is proven to the commissioner's satisfaction that the failure to pay any tax was due to reasonable cause and was not intentional or due to neglect.

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(e) If any tax is not paid when due as provided in this section, there shall be added to the amount of the tax interest at the rate of one per cent per month or fraction thereof from the date the tax became due until it is paid.

(f) If the commissioner is satisfied beyond a reasonable doubt that the failure to file a return or to pay the tax was due to reasonable cause and was not intentional or due to neglect, the commissioner may abate or remit the whole or any part of any penalty under this section.

(g) The provisions of sections 12-548 to 12-554, inclusive, and section 12-555a of the general statutes, shall apply to the provisions of this section in the same manner and with the same force and effect as if the language of said sections 12-548 to 12-554, inclusive, and section 12-555a had been incorporated in full into this section and had expressly referred to the tax under this section, except to the extent that any such provision is inconsistent with a provision of this section.

Sec. 56. Subsection (b) of section 12-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to property placed in service after September 10, 2001, in income years ending after said date*):

(b) [(1)] For purposes of determining net income under this section, the deduction allowed for depreciation [in the determination of net income for purposes of the federal income tax shall, for the income year of any company commencing in 1981, 1982, 1983, 1984 or 1985, not exceed as a percentage of the total amount of such deduction allowed for federal income tax purposes, ninety-six per cent for the income year commencing in 1981, ninety-one per cent for the income year commencing in 1982, eighty-four per cent for the income year commencing in 1983, seventy-seven per cent for the income year commencing in 1984, and eighty-eight per cent for income years commencing in 1985, provided the portion of such depreciation

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allowed for federal income tax purposes but not allowed with respect to any of such income years in determining net income under this section, shall be allowed as a deduction in determining net income under this section, in equal amounts with each of such amounts computed as one-fifth of the total of such depreciation not allowed for such income year, with respect to each of the five successive income years of such company commencing with the third income year immediately following the income year in which such depreciation is not allowed. (2) Alternatively, for purposes of determining net income under this section, any company qualified to claim deduction for depreciation as described in subdivision (1) of this subsection for the income year commencing in 1981, 1982, 1983, 1984 or 1985, may elect, in lieu of the procedure under said subdivision (1), to depreciate property placed in service on or after January 1, 1981, in accordance with provisions of the federal corporation net income tax law applicable to depreciable property placed in service immediately prior to January 1, 1981, and such depreciation so determined for any of such years shall be allowed as a deduction in determining net income under this section for such income year, provided the Commissioner of Revenue Services may refuse to allow any such deduction submitted in accordance with this subdivision if the information in substantiation of such deduction is deemed unsatisfactory by said commissioner in relation to generally accepted accounting procedures] shall be determined as provided under the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, provided in making such determination, the provisions of Section 168(k) of said code shall not apply.

Sec. 57. Section 12-219 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002, and applicable to income years commencing on or after January 1, 2002*):

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(a) (1) Each company subject to the provisions of this part shall pay for the privilege of carrying on or doing business within the state, the larger of the tax, if any, imposed by section 12-214 and the tax calculated under this subsection. The tax calculated under this section shall be a tax of three and one-tenth mills per dollar for each income year of the amount derived (A) by adding (i) the average value of the issued and outstanding capital stock, including treasury stock at par or face value, fractional shares, scrip certificates convertible into shares of stock and amounts received on subscriptions to capital stock, computed on the balances at the beginning and end of the taxable year or period, the average value of surplus and undivided profit computed on the balances at the beginning and end of the taxable year or period, and (ii) the average value of all surplus reserves computed on the balances at the beginning and end of the taxable year or period, (B) by subtracting from the sum so calculated (i) the average value of any deficit carried on the balance sheet computed on the balances at the beginning and end of the taxable year or period, and (ii) the average value of any holdings of stock of private corporations including treasury stock shown on the balance sheet computed on the balances at the beginning and end of the taxable year or period, and (C) by apportioning the remainder so derived between this and other states under the provisions of section 12-219a, provided in no event shall the tax so calculated exceed one million dollars or be less than two hundred fifty dollars.

(2) For purposes of this subsection, in the case of a new domestic company, the balances at the beginning of its first fiscal year or period shall be the balances immediately after its organization or immediately after it commences business operations, whichever is earlier; and in the case of a foreign company, the balances at the beginning of its first fiscal year or period in which it becomes liable for the filing of a return in this state shall be the balances as established at the beginning of the fiscal year or period for tax purposes. In the case of a domestic

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company dissolving or limiting its existence, the balances at the end of the fiscal year or period shall be the balances immediately prior to the final distribution of all its assets; and in the case of a foreign company filing a certificate of withdrawal, the balances at the end of the fiscal year or period shall be the balances immediately prior to the withdrawal of all of its assets. When a taxpayer has carried on or had the right to carry on business within the state for eleven months or less of the income year, the tax calculated under this subsection shall be reduced in proportion to the fractional part of the year during which business was carried on by such taxpayer. The tax calculated under this subsection shall, in no case, be less than two hundred fifty dollars for each income year. The taxpayer shall report the items set forth in this subsection at the amounts at which such items appear upon its books; provided, when, in the opinion of the Commissioner of Revenue Services, the books of the taxpayer do not disclose a reasonable valuation of such items, the commissioner may require any additional information which may be necessary for a reasonable determination of the tax calculated under this subsection and shall, on the basis of the best information available, calculate such tax and notify the taxpayer thereof.

(3) No tax credit allowed against the tax imposed by this chapter shall reduce a company's tax calculated under this subsection to an amount less than two hundred fifty dollars.

(b) (1) With respect to income years commencing on or after January 1, 1989, and prior to January 1, 1992, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to twenty per cent of the additional tax so calculated for such income year, without reduction of the additional tax so calculated by the amount of any credit against such tax. The

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increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(2) With respect to income years commencing on or after January 1, 1992, and prior to January 1, 1993, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to ten per cent of the additional tax so calculated for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(c) The tax imposed by this section shall be assessed and collected and be first applicable at the time or times herein provided for the tax measured by net income. This section shall not apply to insurance companies, real estate investment trusts, regulated investment companies, interlocal risk management agencies formed pursuant to chapter 113a or, except as otherwise provided by subsection (d) of this section, financial service companies, as defined in section 12-218b, as amended.

(d) Each financial service company, as defined in section 12-218b, shall pay for the privilege of carrying on or doing business within the state, the larger of the tax, if any, imposed by section 12-214 and the tax calculated under this subsection. For each such financial service company, the tax calculated under this subsection shall be two hundred fifty dollars for each income year. No tax credit allowed against the tax imposed by this chapter shall reduce a financial service company's tax calculated under this subsection to an amount less than two hundred fifty dollars.

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Sec. 58. Section 12-223c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002, and applicable to income years commencing on or after January 1, 2002*):

Each corporation included in a combined return [, other than the corporation whose tax is computed and paid on the combined basis,] shall pay the minimum tax of two hundred fifty dollars prescribed under section 12-219, as amended by this act. No tax credit allowed against the tax imposed by this chapter shall reduce an included corporation's tax calculated under section 12-219, as amended by this act, to an amount less than two hundred fifty dollars.

Sec. 59. (NEW) (*Effective July 1, 2002, and applicable to income years commencing on or after January 1, 2002*) Notwithstanding any other provision of law, the amount of tax credit or credits otherwise allowable against the tax imposed under chapter 208 of the general statutes for any income year shall not exceed seventy per cent of the amount of tax due from such taxpayer under said chapter 208 with respect to such income year of the taxpayer prior to the application of such credit or credits.

Sec. 60. Section 12-217ee of the general statutes, as amended by section 11 of public act 01-6 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) Any taxpayer that (1) is a qualified small business, (2) qualifies for a credit under section 12-217j or section 12-217n, and (3) cannot take such credit in the taxable year in which the credit could otherwise be taken as a result of having no tax liability under this chapter may elect to carry such credit forward under this chapter or may apply to the commissioner as provided in subsection (b) of this section to exchange such credit with the state for a credit refund equal to sixty-five per cent of the value of the credit. Any amount of credit refunded under this section shall be refunded to the taxpayer under the

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provisions of this chapter, except that such credit refund shall not be subject to the provisions of section 12-227.

(b) An application for refund of such credit amount shall be made to the Commissioner of Revenue Services, at the same time such taxpayer files [a final return for the income year] its return for the income year on or before the original due date or, if applicable, the extended due date of such year's return, on such forms and containing such information as prescribed by said commissioner. No application for refund of such credit amount may be made after the due date or extended due date, as the case may be, of such return.

(c) If the commissioner determines that the taxpayer qualifies for a credit refund under this section, the commissioner shall notify, no later than one hundred twenty days from receipt of the application for such credit refund, the State Comptroller of the name of the eligible taxpayer, and the State Comptroller shall draw an order on the State Treasurer. [in the amount thereof for payment to such taxpayer.] The amount of the credit refund shall be limited as follows: (1) In the case of an application for such credit refund filed by the taxpayer for income years beginning during 2000 or 2001 where such credit refund has not been paid as of July 1, 2002, the taxpayer shall be entitled to receive no more than one million dollars during the state's fiscal year in which the initial refund is paid, with any remaining unpaid balance to be paid in two equal installments during the state's next two succeeding fiscal years; and (2) in the case of an application for such credit refund filed by the taxpayer for the income years beginning during 2002 or thereafter, the taxpayer shall be entitled to receive no more than one million five hundred thousand dollars for any one such income year.

[(c)] (d) The Commissioner of Revenue Services may disallow the credit refund of any credit otherwise allowable for a taxable year under this section if the company claiming the exchange has any

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amount of taxes due and unpaid to the state including interest, penalties, fees and other charges related thereto for which a period in excess of thirty days has elapsed following the date on which such taxes were due and which are not the subject of a timely filed administrative appeal to the commissioner or of a timely filed appeal pending before any court of competent jurisdiction. Before any such disallowance, the commissioner shall send written notice to the company, stating that it may pay the amount of such delinquent tax or enter into an agreement with the commissioner for the payment thereof, by the date set forth in said notice, provided, such date shall not be less than thirty days after the date of such notice. Failure on the part of the company to pay the amount of the delinquent tax or enter into an agreement to pay the amount thereof by said date shall result in a disallowance of the credit refund being claimed.

[(d)] (e) For purposes of this section "qualified small business" means a company that (1) has gross income for the previous income year that does not exceed seventy million dollars, and (2) has not, in the determination of the commissioner, met the gross income test through transactions with a related person, as defined in section 12-217w.

Sec. 61. Section 12-226a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2002*):

If it appears to the Commissioner of Revenue Services that any agreement, understanding or arrangement exists between the taxpayer and any other corporation or any person or firm, whereby the activity, business, income or capital of the taxpayer within the state is improperly or inaccurately reflected, the Commissioner of Revenue Services is authorized and empowered, in his or her discretion, provided such discretion is not arbitrarily, capriciously or unreasonably exercised, and in such manner as he or she may

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determine<sub>1</sub> to adjust items of income, deductions and capital, and to eliminate assets in computing any apportionment percentage under this chapter, provided any income directly traceable thereto shall also be excluded from entire net income, so as equitably to determine the tax. Where [(a)] (1) any taxpayer conducts its activity or business under any agreement, arrangement or understanding in such manner as either directly or indirectly to benefit its members or stockholders, or any of them, or any person or persons directly or indirectly interested in such activity or business, by entering into any transaction at more or less than a fair price which, but for such agreement, arrangement or understanding, might have been paid or received therefor, or [(b)] (2) any taxpayer, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, enters into any transaction with such other corporation on such terms as to create an improper loss or to reflect inaccurate net income, the Commissioner of Revenue Services may include in the entire net income of the taxpayer the fair profits, which, but for such agreement, arrangement or understanding, the taxpayer might have derived from such transaction. Not later than January 1, 1995, the commissioner shall adopt regulations<sub>2</sub> in accordance with the provisions of chapter 54, setting forth standards for taking the actions authorized under this section.

Sec. 62. (*Effective from passage*) The General Assembly hereby affirms that the facts, circumstances and transactions at issue in Carpenter Technology Corp. v. Commissioner, 256 Conn. 455 (2001), amply satisfy the improper or inaccurate reflection of net income standard adopted by the General Assembly in the enactment of section 12-226a of the general statutes and were properly the subject of an adjustment by the Commissioner of Revenue Services pursuant to said section 12-226a.

Sec. 63. Section 12-227 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage and applicable to tax returns and amended tax returns filed on or after July 1, 2001, and not allowed and paid before the date of passage*):

(a) To any refunds granted as a result of overpayment of any [taxes assessed] tax imposed under this [part and] chapter or chapter 209, [except refunds due on estimated payments made with tentative returns and refunds due because of payments on account of estimated tax pursuant to section 12-242d which are greater than the tax disclosed to be due upon the filing of the completed returns,] there shall, except as otherwise provided in subsection (b) or (c) of this section, be added interest at the rate of two-thirds of one per cent for each month and fraction of a month [which elapses between the later of (a) the due date of such taxes or (b)] from the date of making such overpayment [, and the date of notice] to a date, to be determined by the Commissioner of Revenue Services, [that such refunds are due] preceding the date of the refund check by not more than thirty days. [This section shall apply to returns for all calendar or fiscal years which commence on or after May 19, 1959.]

(b) (1) Notwithstanding any provision of subsection (a) of this section, in the case of an overpayment of tax reported on a tax return, no interest shall be allowed or paid under this section on such overpayment for any month or fraction thereof before (A) the ninety-first day after the last day prescribed for filing the tax return on which such overpayment was reported, determined without regard to any extension of time for filing, or (B) the ninety-first day after the date such return was filed, whichever is later.

(2) Notwithstanding any provision of subsection (a) of this section, in the case of an overpayment of tax reported on an amended tax return, no interest shall be allowed or paid under this section on such overpayment for any month or fraction thereof before the ninety-first day after the date such amended tax return was filed. For purposes of

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this subsection, any amended return filed before the last day prescribed for filing the tax return for such year, determined without regard to any extension of time for filing, shall be considered as filed on such last day.

(c) For purposes of this section, a tax return or amended tax return shall not be treated as filed until it is filed in processible form. A tax return or amended tax return is in a processible form if such return is filed on a permitted form, and such return contains the taxpayer's name, address and identifying number and the required signatures, and sufficient required information, whether on the return or on required attachments, to permit the mathematical verification of tax liability shown on the return.

Sec. 64. *(Effective from passage and applicable to tax returns and amended tax returns filed on or after July 1, 2001, and not allowed and paid before the date of passage)* The intent of subsection (b) of section 12-227 of the general statutes, as amended by this act, is to properly indicate that current law does not authorize the Department of Revenue Services to allow or pay interest on an overpayment that is reported on a late tax return or on an amended return for any month or fraction thereof that is before the date on which such late return or such amended return is filed with the Department of Revenue Services.

Sec. 65. Subdivision (2) of section 12-407 of the general statutes, as amended by section 2 of public act 01-109 and section 1 of public act 01-6 of the June special session, is repealed and the following is substituted in lieu thereof *(Effective from passage)*:

(2) "Sale" and "selling" mean and include: (a) Any transfer of title, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration; (b) any withdrawal, except a withdrawal pursuant to a transaction in foreign or interstate commerce, of tangible personal property from the

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place where it is located for delivery to a point in this state for the purpose of the transfer of title, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of the property for a consideration; (c) the producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the producing, fabricating, processing, printing or imprinting, including, but not limited to, sign construction, photofinishing, duplicating and photocopying; (d) the furnishing and distributing of tangible personal property for a consideration by social clubs and fraternal organizations to their members or others; (e) the furnishing, preparing, or serving for a consideration of food, meals or drinks; (f) a transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price; (g) a transfer for a consideration of the title of tangible personal property which has been produced, fabricated or printed to the special order of the customer, or of any publication, including, but not limited to, sign construction, photofinishing, duplicating and photocopying; (h) a transfer for a consideration of the occupancy of any room or rooms in a hotel or lodging house for a period of thirty consecutive calendar days or less; (i) the rendering of certain services for a consideration, exclusive of such services rendered by an employee for the employer, as follows: (A) Computer and data processing services, including, but not limited to, time, programming, code writing, modification of existing programs, feasibility studies and installation and implementation of software programs and systems even where such services are rendered in connection with the development, creation or production of canned or custom software or the license of custom software, and exclusive of services rendered in connection with the creation, development hosting or maintenance of all or part of a web site which is part of the graphical, hypertext portion of the Internet, commonly referred to as the World-Wide Web, (B) credit information and reporting services, (C) services by employment agencies and

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agencies providing personnel services, (D) private investigation, protection, patrol work, watchman and armored car services, exclusive of services of off-duty police officers and off-duty firefighters, (E) painting and lettering services, (F) photographic studio services, (G) telephone answering services, (H) stenographic services, (I) services to industrial, commercial or income-producing real property, including, but not limited to, such services as management, electrical, plumbing, painting and carpentry and excluding any such services rendered in the voluntary evaluation, prevention, treatment, containment or removal of hazardous waste, as defined in section 22a-115, or other contaminants of air, water or soil, provided income-producing property shall not include property used exclusively for residential purposes in which the owner resides and which contains no more than three dwelling units, or a housing facility for low and moderate income families and persons owned or operated by a nonprofit housing organization, as defined in subsection (29) of section 12-412, (J) business analysis, management, management consulting and public relations services, excluding (i) any environmental consulting services, [and] (ii) any training services provided by an institution of higher education licensed or accredited by the Board of Governors of Higher Education pursuant to section 10a-34, and (iii) on and after January 1, 1994, any business analysis, management, management consulting and public relations services when such services are rendered in connection with an aircraft leased or owned by a certificated air carrier or in connection with an aircraft which has a maximum certificated take-off weight of six thousand pounds or more, (K) services providing "piped-in" music to business or professional establishments, (L) flight instruction and chartering services by a certificated air carrier on an aircraft, the use of which for such purposes, but for the provisions of subsection (4) of section 12-410 and subsection (12) of section 12-411, would be deemed a retail sale and a taxable storage or use, respectively, of such aircraft by such carrier, (M) motor vehicle repair services, including any type of repair, painting or replacement related

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to the body or any of the operating parts of a motor vehicle, (N) motor vehicle parking, including the provision of space, other than metered space, in a lot having thirty or more spaces, excluding (i) space in a seasonal parking lot provided by a person who is exempt from taxation under this chapter pursuant to subsection (1), (5) or (8) of section 12-412, (ii) space in a parking lot owned or leased under the terms of a lease of not less than ten years' duration and operated by an employer for the exclusive use of its employees, (iii) valet parking provided at any airport, (iv) space in municipally-operated railroad parking facilities in municipalities located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act, or space in a railroad parking facility in a municipality located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act owned or operated by the state on or after April 1, 2000, (O) radio or television repair services, (P) furniture reupholstering and repair services, (Q) repair services to any electrical or electronic device, including, but not limited to, equipment used for purposes of refrigeration or air-conditioning, (R) lobbying or consulting services for purposes of representing the interests of a client in relation to the functions of any governmental entity or instrumentality, (S) services of the agent of any person in relation to the sale of any item of tangible personal property for such person, exclusive of the services of a consignee selling works of art, as defined in subsection (b) of section 12-376c, or articles of clothing or footwear intended to be worn on or about the human body other than (i) any special clothing or footwear primarily designed for athletic activity or protective use and which is not normally worn except when used for the athletic activity or protective use for which it was designed, and (ii) jewelry, handbags, luggage, umbrellas, wallets, watches and similar items carried on or about the human body but not worn on the body in the manner characteristic of clothing intended for exemption under subdivision (47) of section 12-412, under consignment, exclusive of services provided by an auctioneer, (T)

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locksmith services, (U) advertising or public relations services, including layout, art direction, graphic design, mechanical preparation or production supervision, not related to the development of media advertising or cooperative direct mail advertising, (V) landscaping and horticulture services, (W) window cleaning services, (X) maintenance services, (Y) janitorial services, (Z) exterminating services, (AA) swimming pool cleaning and maintenance services, (BB) renovation and repair services as set forth in this subparagraph, to other than industrial, commercial or income-producing real property: Paving of any sort, painting or staining, wallpapering, roofing, siding and exterior sheet metal work, (CC) miscellaneous personal services included in industry group 729 in the Standard Industrial Classification Manual, United States Office of Management and Budget, 1987 edition, or U.S. industry 532220, 812191, 812199 or 812990 in the North American Industrial Classification System United States Manual, United States Office of Management and Budget, 1997 edition, exclusive of (i) services rendered by massage therapists licensed pursuant to chapter 384a, and (ii) services rendered by an electrologist licensed pursuant to chapter 388, (DD) any repair or maintenance service to any item of tangible personal property including any contract of warranty or service related to any such item, (EE) business analysis, management or managing consulting services rendered by a general partner, or an affiliate thereof, to a limited partnership, provided (i) that the general partner, or an affiliate thereof, is compensated for the rendition of such services other than through a distributive share of partnership profits or an annual percentage of partnership capital or assets established in the limited partnership's offering statement, and (ii) the general partner, or an affiliate thereof, offers such services to others, including any other partnership. As used in subparagraph (EE)(i) "an affiliate of a general partner" means an entity which is directly or indirectly owned fifty per cent or more in common with a general partner, and (FF) notwithstanding the provisions of section 12-412, as amended, except subsection (87)

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thereof, patient care services, as defined in subsection (29) of this section by a hospital, except that "sale" and "selling" does not include such patient care services rendered during the period commencing July 1, 2001, and ending June 30, 2003; (j) the leasing or rental of tangible personal property of any kind whatsoever, including, but not limited to, motor vehicles, linen or towels, machinery or apparatus, office equipment and data processing equipment, provided for purposes of this subdivision and the application of sales and use tax to contracts of lease or rental of tangible personal property, the leasing or rental of any motion picture film by the owner or operator of a motion picture theater for purposes of display at such theater shall not constitute a sale within the meaning of this subsection; (k) the rendering of telecommunications service, as defined in subsection (26) of this section, for a consideration on or after January 1, 1990, exclusive of any such service rendered by an employee for the employer of such employee, subject to the provisions related to telecommunications service in accordance with section 12-407a, as amended; (l) the rendering of community antenna television service, as defined in subsection (27) of this section, for a consideration on or after January 1, 1990, exclusive of any such service rendered by an employee for the employer of such employee; (m) the transfer for consideration of space or the right to use any space for the purpose of storage or mooring of any noncommercial vessel, exclusive of dry or wet storage or mooring of such vessel during the period commencing on the first day of November in any year to and including the thirtieth day of April of the next succeeding year; (n) the sale for consideration of naming rights to any place of amusement, entertainment or recreation within the meaning of subdivision (3) of section 12-540; (o) the transfer for consideration of a prepaid telephone calling service, as defined in subsection (34) of this section, and the recharge of a prepaid telephone calling service, provided, if the sale or recharge of a prepaid telephone calling service does not take place at the retailer's place of business and an item is shipped by the retailer to the customer, the sale or recharge

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shall be deemed to take place at the customer's shipping address, but, if such sale or recharge does not take place at the retailer's place of business and no item is shipped by the retailer to the customer, the sale or recharge shall be deemed to take place at the customer's billing address or the location associated with the customer's mobile telephone number. Wherever in this chapter reference is made to the sale of tangible personal property or services, it shall be construed to include sales described in this subsection, except as may be specifically provided to the contrary.

Sec. 66. Subdivision (2) of section 12-407 of the general statutes, as amended by section 2 of public act 01-109 and section 1 of public act 01-6 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002, and applicable to sales occurring on or after said date*):

(2) "Sale" and "selling" mean and include: (a) Any transfer of title, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration; (b) any withdrawal, except a withdrawal pursuant to a transaction in foreign or interstate commerce, of tangible personal property from the place where it is located for delivery to a point in this state for the purpose of the transfer of title, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of the property for a consideration; (c) the producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the producing, fabricating, processing, printing or imprinting, including, but not limited to, sign construction, photofinishing, duplicating and photocopying; (d) the furnishing and distributing of tangible personal property for a consideration by social clubs and fraternal organizations to their members or others; (e) the furnishing, preparing, or serving for a consideration of food, meals or drinks; (f) a

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transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price; (g) a transfer for a consideration of the title of tangible personal property which has been produced, fabricated or printed to the special order of the customer, or of any publication, including, but not limited to, sign construction, photofinishing, duplicating and photocopying; (h) a transfer for a consideration of the occupancy of any room or rooms in a hotel or lodging house for a period of thirty consecutive calendar days or less; (i) the rendering of certain services for a consideration, exclusive of such services rendered by an employee for the employer, as follows: (A) Computer and data processing services, including, but not limited to, time, programming, code writing, modification of existing programs, feasibility studies and installation and implementation of software programs and systems even where such services are rendered in connection with the development, creation or production of canned or custom software or the license of custom software, and exclusive of services rendered in connection with the creation, development hosting or maintenance of all or part of a web site which is part of the graphical, hypertext portion of the Internet, commonly referred to as the World-Wide Web, (B) credit information and reporting services, (C) services by employment agencies and agencies providing personnel services, (D) private investigation, protection, patrol work, watchman and armored car services, exclusive of services of off-duty police officers and off-duty firefighters, (E) painting and lettering services, (F) photographic studio services, (G) telephone answering services, (H) stenographic services, (I) services to industrial, commercial or income-producing real property, including, but not limited to, such services as management, electrical, plumbing, painting and carpentry and excluding any such services rendered in the voluntary evaluation, prevention, treatment, containment or removal of hazardous waste, as defined in section 22a-115, or other contaminants of air, water or soil, provided income-producing property shall not include property used exclusively for residential

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purposes in which the owner resides and which contains no more than three dwelling units, or a housing facility for low and moderate income families and persons owned or operated by a nonprofit housing organization, as defined in subsection (29) of section 12-412, (J) business analysis, management, management consulting and public relations services, excluding (i) any environmental consulting services, and (ii) any training services provided by an institution of higher education licensed or accredited by the Board of Governors of Higher Education pursuant to section 10a-34, (K) services providing "piped-in" music to business or professional establishments, (L) flight instruction and chartering services by a certificated air carrier on an aircraft, the use of which for such purposes, but for the provisions of subsection (4) of section 12-410 and subsection (12) of section 12-411, would be deemed a retail sale and a taxable storage or use, respectively, of such aircraft by such carrier, (M) motor vehicle repair services, including any type of repair, painting or replacement related to the body or any of the operating parts of a motor vehicle, (N) motor vehicle parking, including the provision of space, other than metered space, in a lot having thirty or more spaces, excluding (i) space in a seasonal parking lot provided by a person who is exempt from taxation under this chapter pursuant to subsection (1), (5) or (8) of section 12-412, (ii) space in a parking lot owned or leased under the terms of a lease of not less than ten years' duration and operated by an employer for the exclusive use of its employees, (iii) valet parking provided at any airport, (iv) space in municipally-operated railroad parking facilities in municipalities located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act, or space in a railroad parking facility in a municipality located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act owned or operated by the state on or after April 1, 2000, (O) radio or television repair services, (P) furniture reupholstering and repair services, (Q) repair services to any electrical or electronic device, including, but not limited to, equipment

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used for purposes of refrigeration or air-conditioning, (R) lobbying or consulting services for purposes of representing the interests of a client in relation to the functions of any governmental entity or instrumentality, (S) services of the agent of any person in relation to the sale of any item of tangible personal property for such person, exclusive of the services of a consignee selling works of art, as defined in subsection (b) of section 12-376c, or articles of clothing or footwear intended to be worn on or about the human body other than (i) any special clothing or footwear primarily designed for athletic activity or protective use and which is not normally worn except when used for the athletic activity or protective use for which it was designed, and (ii) jewelry, handbags, luggage, umbrellas, wallets, watches and similar items carried on or about the human body but not worn on the body in the manner characteristic of clothing intended for exemption under subdivision (47) of section 12-412, under consignment, exclusive of services provided by an auctioneer, (T) locksmith services, (U) advertising or public relations services, including layout, art direction, graphic design, mechanical preparation or production supervision, not related to the development of media advertising or cooperative direct mail advertising, (V) landscaping and horticulture services, (W) window cleaning services, (X) maintenance services, (Y) janitorial services, (Z) exterminating services, (AA) swimming pool cleaning and maintenance services, (BB) renovation and repair services as set forth in this subparagraph, to other than industrial, commercial or income-producing real property: Paving of any sort, painting or staining, wallpapering, roofing, siding and exterior sheet metal work, (CC) miscellaneous personal services included in industry group 729 in the Standard Industrial Classification Manual, United States Office of Management and Budget, 1987 edition, or U.S. industry 532220, 812191, 812199 or 812990 in the North American Industrial Classification System United States Manual, United States Office of Management and Budget, 1997 edition, exclusive of (i) services rendered by massage therapists licensed pursuant to chapter 384a, and

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(ii) services rendered by an electrologist licensed pursuant to chapter 388, (DD) any repair or maintenance service to any item of tangible personal property including any contract of warranty or service related to any such item, (EE) business analysis, management or managing consulting services rendered by a general partner, or an affiliate thereof, to a limited partnership, provided (i) that the general partner, or an affiliate thereof, is compensated for the rendition of such services other than through a distributive share of partnership profits or an annual percentage of partnership capital or assets established in the limited partnership's offering statement, and (ii) the general partner, or an affiliate thereof, offers such services to others, including any other partnership. As used in subparagraph (EE)(i) "an affiliate of a general partner" means an entity which is directly or indirectly owned fifty per cent or more in common with a general partner, and (FF) notwithstanding the provisions of section 12-412, as amended, except subsection (87) thereof, patient care services, as defined in subsection (29) of this section by a hospital, except that "sale" and "selling" does not include such patient care services rendered during the period commencing July 1, 2001, and ending June 30, 2003; (j) the leasing or rental of tangible personal property of any kind whatsoever, including, but not limited to, motor vehicles, linen or towels, machinery or apparatus, office equipment and data processing equipment, provided for purposes of this subdivision and the application of sales and use tax to contracts of lease or rental of tangible personal property, the leasing or rental of any motion picture film by the owner or operator of a motion picture theater for purposes of display at such theater shall not constitute a sale within the meaning of this subsection; (k) the rendering of telecommunications service, as defined in subsection (26) of this section, for a consideration on or after January 1, 1990, exclusive of any such service rendered by an employee for the employer of such employee, subject to the provisions related to telecommunications service in accordance with section 12-407a, as amended; (l) the rendering of community antenna television service, as defined in

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subsection (27) of this section, for a consideration on or after January 1, 1990, exclusive of any such service rendered by an employee for the employer of such employee; (m) the transfer for consideration of space or the right to use any space for the purpose of storage or mooring of any noncommercial vessel, exclusive of dry or wet storage or mooring of such vessel during the period commencing on the first day of November in any year to and including the thirtieth day of April of the next succeeding year; (n) the sale for consideration of naming rights to any place of amusement, entertainment or recreation within the meaning of subdivision (3) of section 12-540; (o) the transfer for consideration of a prepaid telephone calling service, as defined in subsection (34) of this section, and the recharge of a prepaid telephone calling service, provided, if the sale or recharge of a prepaid telephone calling service does not take place at the retailer's place of business and an item is shipped by the retailer to the customer, the sale or recharge shall be deemed to take place at the customer's shipping address, but, if such sale or recharge does not take place at the retailer's place of business and no item is shipped by the retailer to the customer, the sale or recharge shall be deemed to take place at the customer's billing address or the location associated with the customer's mobile telephone number; (p) the furnishing by any person, for a consideration, of space for storage of personal property when such person is engaged in the business of furnishing such space, but "sale" and "selling" do not mean or include the furnishing of space which is used by a person for residential purposes. Wherever in this chapter reference is made to the sale of tangible personal property or services, it shall be construed to include sales described in this subsection, except as may be specifically provided to the contrary.

Sec. 67. Subparagraph (J) of subdivision (37) of subsection (a) of section 12-407 of the general statutes, as amended by section 1 of public act 02-103, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003, and applicable to sales occurring on or*

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*after January 1, 2003):*

(J) Business analysis, management, management consulting and public relations services, excluding (i) any environmental consulting services, [and] (ii) any training services provided by an institution of higher education licensed or accredited by the Board of Governors of Higher Education pursuant to section 10a-34, and (iii) on and after January 1, 1994, any business analysis, management, management consulting and public relations services when such services are rendered in connection with an aircraft leased or owned by a certificated air carrier or in connection with an aircraft which has a maximum certificated take-off weight of six thousand pounds or more.

Sec. 68. Subdivision (2) of subsection (a) of section 12-407 of the general statutes, as amended by section 1 of public act 02-103, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003, and applicable to sales occurring on or after said date*):

(2) "Sale" and "selling" mean and include:

(A) Any transfer of title, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration;

(B) Any withdrawal, except a withdrawal pursuant to a transaction in foreign or interstate commerce, of tangible personal property from the place where it is located for delivery to a point in this state for the purpose of the transfer of title, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of the property for a consideration;

(C) The producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the producing, fabricating, processing, printing or imprinting, including,

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but not limited to, sign construction, photofinishing, duplicating and photocopying;

(D) The furnishing and distributing of tangible personal property for a consideration by social clubs and fraternal organizations to their members or others;

(E) The furnishing, preparing, or serving for a consideration of food, meals or drinks;

(F) A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price;

(G) A transfer for a consideration of the title of tangible personal property which has been produced, fabricated or printed to the special order of the customer, or of any publication, including, but not limited to, sign construction, photofinishing, duplicating and photocopying;

(H) A transfer for a consideration of the occupancy of any room or rooms in a hotel or lodging house for a period of thirty consecutive calendar days or less;

(I) The rendering of certain services, as defined in subdivision (37) of this subsection, for a consideration, exclusive of such services rendered by an employee for the employer;

(J) The leasing or rental of tangible personal property of any kind whatsoever, including, but not limited to, motor vehicles, linen or towels, machinery or apparatus, office equipment and data processing equipment, provided for purposes of this subdivision and the application of sales and use tax to contracts of lease or rental of tangible personal property, the leasing or rental of any motion picture film by the owner or operator of a motion picture theater for purposes of display at such theater shall not constitute a sale within the meaning of this subsection;

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(K) The rendering of telecommunications service, as defined in subdivision (26) of this subsection, for a consideration on or after January 1, 1990, exclusive of any such service rendered by an employee for the employer of such employee, subject to the provisions related to telecommunications service in accordance with section 12-407a, as amended;

(L) The rendering of community antenna television service, as defined in subdivision (27) of this subsection, for a consideration on or after January 1, 1990, exclusive of any such service rendered by an employee for the employer of such employee;

(M) The transfer for consideration of space or the right to use any space for the purpose of storage or mooring of any noncommercial vessel, exclusive of dry or wet storage or mooring of such vessel during the period commencing on the first day of November in any year to and including the thirtieth day of April of the next succeeding year;

(N) The sale for consideration of naming rights to any place of amusement, entertainment or recreation within the meaning of subdivision (3) of section 12-540; [and]

(O) The transfer for consideration of a prepaid telephone calling service, as defined in subdivision (34) of this subsection, and the recharge of a prepaid telephone calling service, provided, if the sale or recharge of a prepaid telephone calling service does not take place at the retailer's place of business and an item is shipped by the retailer to the customer, the sale or recharge shall be deemed to take place at the customer's shipping address, but, if such sale or recharge does not take place at the retailer's place of business and no item is shipped by the retailer to the customer, the sale or recharge shall be deemed to take place at the customer's billing address or the location associated with the customer's mobile telephone number; and

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(P) The furnishing by any person, for a consideration, of space for storage of personal property when such person is engaged in the business of furnishing such space, but "sale" and "selling" do not mean or include the furnishing of space which is used by a person for residential purposes.

Sec. 69. Subdivision (1) of section 12-408 of the general statutes, as amended by section 4 of public act 02-103, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002, and applicable to sales occurring on or after said date*):

(1) For the privilege of making any sales, as defined in subdivision (2) of subsection (a) of section 12-407, at retail, in this state for a consideration, a tax is hereby imposed on all retailers at the rate of six per cent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail or from the rendering of any services constituting a sale in accordance with subdivision (2) of subsection (a) of section 12-407, except, in lieu of said rate of six per cent, (A) at a rate of twelve per cent with respect to each transfer of occupancy, from the total amount of rent received for such occupancy of any room or rooms in a hotel or lodging house for the first period not exceeding thirty consecutive calendar days, (B) with respect to the sale of a motor vehicle to any individual who is a member of the armed forces of the United States and is on full-time active duty in Connecticut and who is considered, under 50 App USC 574, a resident of another state, or to any such individual and the spouse thereof, at a rate of four and one-half per cent of the gross receipts of any retailer from such sales, provided such retailer requires and maintains a declaration by such individual, prescribed as to form by the commissioner and bearing notice to the effect that false statements made in such declaration are punishable, or other evidence, satisfactory to the commissioner, concerning the purchaser's state of residence under 50 App USC 574, (C) (i) with respect to the sales of computer and data processing

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services occurring on or after July 1, 1997, and prior to July 1, 1998, at the rate of five per cent, on or after July 1, 1998, and prior to July 1, 1999, at the rate of four per cent, on or after July 1, 1999, and prior to July 1, 2000, at the rate of three per cent, on or after July 1, 2000, and prior to July 1, 2001, at the rate of two per cent, on or after July 1, 2001, and prior to July 1, [2002] 2004, at the rate of one per cent and on and after July 1, [2002] 2004, such services shall be exempt from such tax, (ii) with respect to sales of Internet access services, on and after July 1, 2001, such services shall be exempt from such tax, (D) with respect to the sales of labor that is otherwise taxable under subparagraph (C) or (G) of subdivision (2) of subsection (a) of section 12-407 on existing vessels and repair or maintenance services on vessels occurring on and after July 1, 1999, such services shall be exempt from such tax, and (E) with respect to patient care services occurring on or after July 1, 1999, and prior to July 1, 2001, and with respect to such services occurring on or after July 1, 2003, at the rate of five and three-fourths per cent. The rate of tax imposed by this chapter shall be applicable to all retail sales upon the effective date of such rate, except that a new rate which represents an increase in the rate applicable to the sale shall not apply to any sales transaction wherein a binding sales contract without an escalator clause has been entered into prior to the effective date of the new rate and delivery is made within ninety days after the effective date of the new rate. For the purposes of payment of the tax imposed under this section, any retailer of services taxable under subparagraph (I) of subdivision (2) of subsection (a) of section 12-407, who computes taxable income, for purposes of taxation under the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, on an accounting basis which recognizes only cash or other valuable consideration actually received as income and who is liable for such tax only due to the rendering of such services may make payments related to such tax for the period during which such income is received, without penalty or interest, without regard to when such service is rendered.

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Sec. 70. Subdivision (1) of section 12-411 of the general statutes, as amended by section 7 of public act 02-103, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002, and applicable to sales occurring on or after said date*):

(1) An excise tax is hereby imposed on the storage, acceptance, consumption or any other use in this state of tangible personal property purchased from any retailer for storage, acceptance, consumption or any other use in this state, the acceptance or receipt of any services constituting a sale in accordance with subdivision (2) of subsection (a) of section 12-407, purchased from any retailer for consumption or use in this state, or the storage, acceptance, consumption or any other use in this state of tangible personal property which has been manufactured, fabricated, assembled or processed from materials by a person, either within or without this state, for storage, acceptance, consumption or any other use by such person in this state, to be measured by the sales price of materials, at the rate of six per cent of the sales price of such property or services, except, in lieu of said rate of six per cent, (A) at a rate of twelve per cent of the rent paid for occupancy of any room or rooms in a hotel or lodging house for the first period of not exceeding thirty consecutive calendar days, (B) with respect to the storage, acceptance, consumption or use in this state of a motor vehicle purchased from any retailer for storage, acceptance, consumption or use in this state by any individual who is a member of the armed forces of the United States and is on full-time active duty in Connecticut and who is considered, under 50 App USC 574, a resident of another state, or to any such individual and the spouse of such individual at a rate of four and one-half per cent of the sales price of such vehicle, provided such retailer requires and maintains a declaration by such individual, prescribed as to form by the commissioner and bearing notice to the effect that false statements made in such declaration are punishable, or other evidence, satisfactory to the commissioner, concerning the purchaser's state of

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residence under 50 App USC 574, (C) with respect to the acceptance or receipt in this state of labor that is otherwise taxable under subparagraph (C) or (G) of subdivision (2) of subsection (a) of section 12-407 on existing vessels and repair or maintenance services on vessels occurring on and after July 1, 1999, such services shall be exempt from such tax, (D) (i) with respect to the acceptance or receipt in this state of computer and data processing services purchased from any retailer for consumption or use in this state occurring on or after July 1, 1997, and prior to July 1, 1998, at the rate of five per cent of such services, on or after July 1, 1998, and prior to July 1, 1999, at the rate of four per cent of such services, on or after July 1, 1999, and prior to July 1, 2000, at the rate of three per cent of such services, on or after July 1, 2000, and prior to July 1, 2001, at the rate of two per cent of such services, on and after July 1, 2001, and prior to July 1, [2002] 2004, at the rate of one per cent of such services and on and after July 1, [2002] 2004, such services shall be exempt from such tax, and (ii) with respect to the acceptance or receipt in this state of Internet access services, on or after July 1, 2001, such services shall be exempt from tax, and (E) with respect to the acceptance or receipt in this state of patient care services purchased from any retailer for consumption or use in this state occurring on or after July 1, 1999, and prior to July 1, 2001, and with respect to acceptance or receipt in this state of such services occurring on or after July 1, 2003, at the rate of five and three-fourths per cent.

Sec. 71. Subdivision (2) of subsection (a) of section 12-458 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to fuels sold or used in this state on or after August 1, 2002*):

(2) On said date and coincident with the filing of such return each distributor shall pay to the commissioner for the account of the purchaser or consumer a tax (A) on each gallon of such fuels sold or

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used in this state during the preceding calendar month of twenty-six cents on and after January 1, 1992, twenty-eight cents on and after January 1, 1993, twenty-nine cents on and after July 1, 1993, thirty cents on and after January 1, 1994, thirty-one cents on and after July 1, 1994, thirty-two cents on and after January 1, 1995, thirty-three cents on and after July 1, 1995, thirty-four cents on and after October 1, 1995, thirty-five cents on and after January 1, 1996, thirty-six cents on and after April 1, 1996, thirty-seven cents on and after July 1, 1996, thirty-eight cents on and after October 1, 1996, thirty-nine cents on and after January 1, 1997, thirty-six cents on and after July 1, 1997, thirty-two cents on and after July 1, 1998, and twenty-five cents on and after July 1, 2000; and (B) in lieu of said taxes, each distributor shall pay a tax on each gallon of gasohol, as defined in section 14-1, sold or used in this state during such preceding calendar month, of twenty-five cents on and after January 1, 1992, twenty-seven cents on and after January 1, 1993, twenty-eight cents on and after July 1, 1993, twenty-nine cents on and after January 1, 1994, thirty cents on and after July 1, 1994, thirty-one cents on and after January 1, 1995, thirty-two cents on and after July 1, 1995, thirty-three cents on and after October 1, 1995, thirty-four cents on and after January 1, 1996, thirty-five cents on and after April 1, 1996, thirty-six cents on and after July 1, 1996, thirty-seven cents on and after October 1, 1996, thirty-eight cents on and after January 1, 1997, thirty-five cents on and after July 1, 1997, thirty-one cents on and after July 1, 1998, and twenty-four cents on and after July 1, 2000; and (C) in lieu of such rate, on each gallon of diesel fuel, propane or natural gas sold or used in this state [on and after September 1, 1991,] during such preceding calendar month, of eighteen cents on and after September 1, 1991, and twenty-six cents on and after August 1, 2002.

Sec. 72. Section 12-460a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[Notwithstanding the provisions of section 13b-61, the

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Commissioner of Revenue Services shall deposit into the Conservation Fund established under section 22a-27h three million dollars of the amount of the funds received by the state from the tax imposed under this chapter attributable to sales of fuel from distributors to any boat yard, public or private marina or other entity renting or leasing slips, dry storage, mooring or other space for marine vessels provided two hundred fifty thousand dollars shall be credited to the boating account and two million fifty thousand dollars shall be credited to the fisheries account. Amounts in the fisheries account shall be allocated as follows: Not less than seventy-five thousand dollars shall be allocated to The University of Connecticut for the Long Island Sound Councils, not less than seventy-five thousand dollars shall be allocated to the Department of Economic and Community Development for an economic impact study of the lobster industry in Long Island Sound and not less than eight hundred fifty thousand dollars shall be allocated to the Department of Environmental Protection for use as an additional expenditure, in excess of any other state or federal funds made available, for enhancement of recreational fishing in accordance with an allocation which shall be submitted, on or before October 1, 2000, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment.]

(a) Notwithstanding the provisions of section 13b-61, as amended, with respect to the fiscal year ending June 30, 2003, the Commissioner of Revenue Services shall deposit into the Conservation Fund established under section 22a-27h two million dollars of the amount of the funds received by the state from the tax imposed under this chapter attributable to sales of fuel from distributors to any boat yard, public or private marina or other entity renting or leasing slips, dry storage, mooring or other space for marine vessels provided (1) two hundred fifty thousand dollars shall be credited to the boating account, and (2) one million dollars shall be credited to the fisheries account of which not less than seventy-five thousand dollars shall be allocated to

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The University of Connecticut for the Long Island Sound Councils.

(b) With respect to fiscal years ending on or after June 30, 2004, the Commissioner of Revenue Services shall deposit into the Conservation Fund established under section 22a-27h three million dollars of the amount of the funds received by the state from the tax imposed under this chapter attributable to sales of fuel from distributors to any boat yard, public or private marina or other entity renting or leasing slips, dry storage, mooring or other space for marine vessels provided (1) two hundred fifty thousand dollars shall be credited to the boating account, and (2) two million dollars shall be credited to the fisheries account of which not less than seventy-five thousand dollars shall be allocated to The University of Connecticut for the Long Island Sound Councils.

Sec. 73. Section 13b-61a of the general statutes, as amended by section 9 of public act 01-105, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of section 13b-61, as amended, for calendar quarters ending on or after September 30, 1998, and prior to September 30, 1999, the Commissioner of Revenue Services shall deposit into the Special Transportation Fund established under section 13b-68 five million dollars of the amount of funds received by the state from the tax imposed under section 12-587, as amended, on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel, for calendar quarters ending September 30, 1999, and prior to September 30, 2000, the commissioner shall deposit into the Special Transportation Fund nine million dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel; [and] for [the] calendar [quarter] quarters ending September 30, 2000, and [each calendar quarter thereafter] prior to September 30, 2002, the

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commissioner shall deposit into the Special Transportation Fund eleven million five hundred thousand dollars of the amount of such funds received by the state from the tax imposed under said section 12-587, on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel, for the calendar quarters ending September 30, 2002, and prior to September 30, 2003, the commissioner shall deposit into the Special Transportation Fund, five million dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel, and for the calendar quarter ending September 30, 2003, and each calendar quarter thereafter, the commissioner shall deposit into the Special Transportation Fund, five million two hundred fifty thousand dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel.

Sec. 74. (NEW) (*Effective from passage*) (a) An excise tax is hereby imposed upon each person licensed to sell fuel under the provisions of section 14-319 of the general statutes in the amount of eight cents per gallon of diesel fuel in such licensee's inventory on July 31, 2002.

(b) Each such licensee shall, not later than September 1, 2002, file with the Commissioner of Revenue Services, on forms prescribed by said commissioner, a report which shall show the number of gallons of diesel fuel in inventory as of the close of business on July 31, 2002, or, if the business closes after 11:59 p.m. on such date, at 11:59 p.m. on such date, and shall, not later than September 1, 2002, pay such tax based upon the total gallonage shown on such report. Interest at the rate of one per cent per month or fraction thereof shall be assessed on the amount of such tax not paid when due, from the date such tax became due to the date of payment. The Commissioner of Motor Vehicles shall cooperate with the Commissioner of Revenue Services in the

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enforcement of this tax. Failure to file such report and pay the tax when due shall be sufficient reason to revoke any state license or permit held by such person. Failure to file such report shall be treated as a failure to file a report required to be filed under the provisions of chapter 221 of the general statutes. The filing of an incorrect report shall be treated as the filing of an incorrect report under the provisions of chapter 221 of the general statutes.

Sec. 75. (*Effective from passage*) Notwithstanding the provisions of section 22a-449b of the general statutes, as amended, no transfers shall be made to the underground storage tank petroleum clean-up account established under section 22a-449c of the general statutes for tax payments due in the fiscal year ending June 30, 2003.

Sec. 76. Section 12-642 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2002*):

(a) (1) With respect to calendar years commencing prior to January 1, 2001, the tax imposed by section 12-640 for the calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
Not over \$25,000	1%
Over \$25,000 but not over \$50,000	\$250, plus 2% of the excess over \$25,000
Over \$50,000 but not over \$75,000	\$750, plus 3% of the excess over \$50,000
Over \$75,000 but not over \$100,000	\$1,500, plus 4% of the excess over \$75,000
Over \$100,000	\$2,500, plus 5% of the excess

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but not over \$200,000	over \$100,000
Over \$200,000	\$7,500, plus 6% of the excess over \$200,000

(2) With respect to the calendar [year] years commencing January 1, 2001, January 1, 2002, and January 1, 2003, the tax imposed by section 12-640 for [the] each such calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
Over \$25,000	\$250, plus 2% of the excess
but not over \$50,000	over \$25,000
Over \$50,000	\$750, plus 3% of the excess
but not over \$75,000	over \$50,000
Over \$75,000	\$1,500, plus 4% of the excess
but not over \$100,000	over \$75,000
Over \$100,000	\$2,500, plus 5% of the excess
but not over \$675,000	over \$100,000
Over \$675,000	\$31,250, plus 6% of the excess over \$675,000

(3) With respect to the calendar year commencing January 1, [2002] 2004, the tax imposed by section 12-640 for the calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
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Over \$50,000	\$750, plus 3% of the excess
but not over \$75,000	over \$50,000
Over \$75,000	\$1,500, plus 4% of the excess
but not over \$100,000	over \$75,000
Over \$100,000	\$2,500, plus 5% of the excess
but not over \$700,000	over \$100,000
Over \$700,000	\$32,500, plus 6% of the excess
	over \$700,000

(4) With respect to the calendar year commencing January 1, [2003] 2005, the tax imposed by section 12-640 for the calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
Over \$75,000	\$1,500, plus 4% of the excess
but not over \$100,000	over \$75,000
Over \$100,000	\$2,500, plus 5% of the excess
but not over \$700,000	over \$100,000
Over \$700,000	\$32,500, plus 6% of the excess
	over \$700,000

(5) With respect to the calendar year commencing January 1, [2004] 2006, the tax imposed by section 12-640 for the calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
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Over \$100,000	\$2,500, plus 5% of the excess
but not over \$850,000	over \$100,000
Over \$850,000	\$40,000, plus 6% of the excess
	over \$850,000

(6) With respect to the calendar year commencing January 1, [2005] 2007, the tax imposed by section 12-640 for the calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
Over \$950,000	\$45,000, plus 6% of the excess
	over \$950,000

(7) With respect to the calendar year commencing January 1, [2006] 2008, and each calendar year thereafter, the tax imposed by section 12-640 for the calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
Over \$1,000,000	\$47,500, plus 6% of the excess
	over \$1,000,000

(b) The tax imposed by section 12-640 shall be paid by the donor. If the gift tax is not paid when due the donee of any gift shall be personally liable for the tax to the extent of the value of the gift.

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section 12-701 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002, and applicable to taxable years commencing on or after January 1, 2002*):

(A) There shall be added thereto (i) to the extent not properly includable in gross income for federal income tax purposes, any interest income from obligations issued by or on behalf of any state, political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity, exclusive of such income from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut and exclusive of any such income with respect to which taxation by any state is prohibited by federal law, (ii) any exempt-interest dividends, as defined in Section 852(b)(5) of the Internal Revenue Code, exclusive of such exempt-interest dividends derived from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut and exclusive of such exempt-interest dividends derived from obligations, the income with respect to which taxation by any state is prohibited by federal law, (iii) any interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States which federal law exempts from federal income tax but does not exempt from state income taxes, (iv) to the extent included in gross income for federal income tax purposes for the taxable year, the total taxable amount of a lump sum distribution for the taxable year deductible from such gross income in calculating federal adjusted gross income, (v) to the extent properly includable in determining the net gain or loss from the sale or other disposition of capital assets for federal income tax purposes, any loss from the sale or exchange of obligations issued by or on behalf of the state of Connecticut, any

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political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut, in the income year such loss was recognized, (vi) to the extent deductible in determining federal adjusted gross income, any income taxes imposed by this state, (vii) to the extent deductible in determining federal adjusted gross income, any interest on indebtedness incurred or continued to purchase or carry obligations or securities the interest on which is exempt from tax under this chapter, [and] (viii) expenses paid or incurred during the taxable year for the production or collection of income which is exempt from taxation under this chapter or the management, conservation or maintenance of property held for the production of such income, and the amortizable bond premium for the taxable year on any bond the interest on which is exempt from tax under this chapter to the extent that such expenses and premiums are deductible in determining federal adjusted gross income, and (ix) for property placed in service after September 10, 2001, but prior to September 11, 2004, in taxable years ending after September 10, 2001, any additional allowance for depreciation under subsection (k) of Section 168 of the Internal Revenue Code, as provided by Section 101 of the Job Creation and Worker Assistance Act of 2002, to the extent deductible in determining federal adjusted gross income.

Sec. 78. Subsection (a) of section 12-702 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2002*):

(a) (1) (A) Any person, other than a trust or estate, subject to the tax under this chapter for any taxable year who files under the federal income tax for such taxable year as a married individual filing separately or, for taxable years commencing prior to January 1, 2000, who files income tax for such taxable year as an unmarried individual shall be entitled to a personal exemption of twelve thousand dollars in

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determining Connecticut taxable income for purposes of this chapter.

(B) In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-four thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption.

(2) For taxable years commencing on or after January 1, 2000, any person, other than a trust or estate, subject to the tax under this chapter for any taxable year who files under the federal income tax for such taxable year as an unmarried individual shall be entitled to a personal exemption in determining Connecticut taxable income for purposes of this chapter as follows:

(A) For taxable years commencing on or after January 1, 2000, but prior to January 1, 2001, twelve thousand two hundred fifty dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-four thousand five hundred dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(B) For taxable years commencing on or after January 1, 2001, but prior to January 1, [2002] 2004, twelve thousand five hundred dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-five thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said

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amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(C) For taxable years commencing on or after January 1, [2002] 2004, but prior to January 1, [2003] 2005, twelve thousand seven hundred fifty dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-five thousand five hundred dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(D) For taxable years commencing on or after January 1, [2003] 2005, but prior to January 1, [2004] 2006, thirteen thousand dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-six thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(E) For taxable years commencing on or after January 1, [2004] 2006, but prior to January 1, [2005] 2007, thirteen thousand five hundred dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-seven thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(F) For taxable years commencing on or after January 1, [2005] 2007,

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but prior to January 1, [2006] 2008, fourteen thousand dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-eight thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(G) For taxable years commencing on or after January 1, [2006] 2008, but prior to January 1, [2007] 2009, fourteen thousand five hundred dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-nine thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(H) For taxable years commencing on or after January 1, [2007] 2009, fifteen thousand dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds thirty thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption.

Sec. 79. Subdivision (2) of subsection (a) of section 12-703 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2002*):

(2) For taxable years commencing on or after January 1, 2000, any

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person, other than a trust or estate, subject to the tax under this chapter for any taxable year who files under the federal income tax for such taxable year as an unmarried individual shall be entitled to a credit in determining the amount of tax liability for purposes of this chapter in accordance with the following schedule:

(A) For taxable years commencing on or after January 1, 2000, but prior to January 1, 2001:

Connecticut Adjusted Gross Income	Amount of Credit
Over \$12,250 but not over \$15,300	75%
Over \$15,300 but not over \$15,800	70%
Over \$15,800 but not over \$16,300	65%
Over \$16,300 but not over \$16,800	60%
Over \$16,800 but not over \$17,300	55%
Over \$17,300 but not over \$17,800	50%
Over \$17,800 but not over \$18,300	45%
Over \$18,300 but not over \$18,800	40%
Over \$18,800 but not over \$20,400	35%
Over \$20,400 but not over \$20,900	30%
Over \$20,900 but	

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not over \$21,400	25%
Over \$21,400 but	
not over \$21,900	20%
Over \$21,900 but	
not over \$25,500	15%
Over \$25,500 but	
not over \$26,000	14%
Over \$26,000 but	
not over \$26,500	13%
Over \$26,500 but	
not over \$27,000	12%
Over \$27,000 but	
not over \$27,500	11%
Over \$27,500 but	
not over \$49,000	10%
Over \$49,000 but	
not over \$49,500	9%
Over \$49,500 but	
not over \$50,000	8%
Over \$50,000 but	
not over \$50,500	7%
Over \$50,500 but	
not over \$51,000	6%
Over \$51,000 but	
not over \$51,500	5%
Over \$51,500 but	
not over \$52,000	4%
Over \$52,000 but	
not over \$52,500	3%
Over \$52,500 but	
not over \$53,000	2%
Over \$53,000 but	

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not over \$53,500 1%

(B) For taxable years commencing on or after January 1, 2001, but prior to January 1, [2002] 2004:

Connecticut Adjusted Gross Income	Amount of Credit
Over \$12,500 but not over \$15,600	75%
Over \$15,600 but not over \$16,100	70%
Over \$16,100 but not over \$16,600	65%
Over \$16,600 but not over \$17,100	60%
Over \$17,100 but not over \$17,600	55%
Over \$17,600 but not over \$18,100	50%
Over \$18,100 but not over \$18,600	45%
Over \$18,600 but not over \$19,100	40%
Over \$19,100 but not over \$20,800	35%
Over \$20,800 but not over \$21,300	30%
Over \$21,300 but not over \$21,800	25%
Over \$21,800 but not over \$22,300	20%

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Over \$22,300 but not over \$26,000	15%
Over \$26,000 but not over \$26,500	14%
Over \$26,500 but not over \$27,000	13%
Over \$27,000 but not over \$27,500	12%
Over \$27,500 but not over \$28,000	11%
Over \$28,000 but not over \$50,000	10%
Over \$50,000 but not over \$50,500	9%
Over \$50,500 but not over \$51,000	8%
Over \$51,000 but not over \$51,500	7%
Over \$51,500 but not over \$52,000	6%
Over \$52,000 but not over \$52,500	5%
Over \$52,500 but not over \$53,000	4%
Over \$53,000 but not over \$53,500	3%
Over \$53,500 but not over \$54,000	2%
Over \$54,000 but not over \$54,500	1%

(C) For taxable years commencing on or after January 1, [2002] 2004,  
but prior to January 1, [2003] 2005:

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Connecticut Adjusted Gross Income	Amount of Credit
Over \$12,750 but not over \$15,900	75%
Over \$15,900 but not over \$16,400	70%
Over \$16,400 but not over \$16,900	65%
Over \$16,900 but not over \$17,400	60%
Over \$17,400 but not over \$17,900	55%
Over \$17,900 but not over \$18,400	50%
Over \$18,400 but not over \$18,900	45%
Over \$18,900 but not over \$19,400	40%
Over \$19,400 but not over \$21,300	35%
Over \$21,300 but not over \$21,800	30%
Over \$21,800 but not over \$22,300	25%
Over \$22,300 but not over \$22,800	20%
Over \$22,800 but not over \$26,600	15%
Over \$26,600 but not over \$27,100	14%
Over \$27,100 but	

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not over \$27,600	13%
Over \$27,600 but	
not over \$28,100	12%
Over \$28,100 but	
not over \$28,600	11%
Over \$28,600 but	
not over \$51,000	10%
Over \$51,000 but	
not over \$51,500	9%
Over \$51,500 but	
not over \$52,000	8%
Over \$52,000 but	
not over \$52,500	7%
Over \$52,500 but	
not over \$53,000	6%
Over \$53,000 but	
not over \$53,500	5%
Over \$53,500 but	
not over \$54,000	4%
Over \$54,000 but	
not over \$54,500	3%
Over \$54,500 but	
not over \$55,000	2%
Over \$55,000 but	
not over \$55,500	1%

(D) For taxable years commencing on or after January 1, [2003] 2005,  
but prior to January 1, [2004] 2006:

Connecticut	
Adjusted Gross Income	Amount of Credit

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Over \$13,000 but not over \$16,300	75%
Over \$16,300 but not over \$16,800	70%
Over \$16,800 but not over \$17,300	65%
Over \$17,300 but not over \$17,800	60%
Over \$17,800 but not over \$18,300	55%
Over \$18,300 but not over \$18,800	50%
Over \$18,800 but not over \$19,300	45%
Over \$19,300 but not over \$19,800	40%
Over \$19,800 but not over \$21,700	35%
Over \$21,700 but not over \$22,200	30%
Over \$22,200 but not over \$22,700	25%
Over \$22,700 but not over \$23,200	20%
Over \$23,200 but not over \$27,100	15%
Over \$27,100 but not over \$27,600	14%
Over \$27,600 but not over \$28,100	13%
Over \$28,100 but not over \$28,600	12%

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Over \$28,600 but not over \$29,100	11%
Over \$29,100 but not over \$52,000	10%
Over \$52,000 but not over \$52,500	9%
Over \$52,500 but not over \$53,000	8%
Over \$53,000 but not over \$53,500	7%
Over \$53,500 but not over \$54,000	6%
Over \$54,000 but not over \$54,500	5%
Over \$54,500 but not over \$55,000	4%
Over \$55,000 but not over \$55,500	3%
Over \$55,500 but not over \$56,000	2%
Over \$56,000 but not over \$56,500	1%

(E) For taxable years commencing on or after January 1, [2004] 2006,  
but prior to January 1, [2005] 2007:

Connecticut Adjusted Gross Income	Amount Of Credit
Over \$13,500 but not over \$16,900	75%
Over \$16,900 but	

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not over \$17,400	70%
Over \$17,400 but	
not over \$17,900	65%
Over \$17,900 but	
not over \$18,400	60%
Over \$18,400 but	
not over \$18,900	55%
Over \$18,900 but	
not over \$19,400	50%
Over \$19,400 but	
not over \$19,900	45%
Over \$19,900 but	
not over \$20,400	40%
Over \$20,400 but	
not over \$22,500	35%
Over \$22,500 but	
not over \$23,000	30%
Over \$23,000 but	
not over \$23,500	25%
Over \$23,500 but	
not over \$24,000	20%
Over \$24,000 but	
not over \$28,100	15%
Over \$28,100 but	
not over \$28,600	14%
Over \$28,600 but	
not over \$29,100	13%
Over \$29,100 but	
not over \$29,600	12%
Over \$29,600 but	
not over \$30,100	11%
Over \$30,100 but	

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not over \$54,000	10%
Over \$54,000 but not over \$54,500	9%
Over \$54,500 but not over \$55,000	8%
Over \$55,000 but not over \$55,500	7%
Over \$55,500 but not over \$56,000	6%
Over \$56,000 but not over \$56,500	5%
Over \$56,500 but not over \$57,000	4%
Over \$57,000 but not over \$57,500	3%
Over \$57,500 but not over \$58,000	2%
Over \$58,000 but not over \$58,500	1%

(F) For taxable years commencing on or after January 1, [2005] 2007,  
but prior to January 1, [2006] 2008:

Connecticut Adjusted Gross Income	Amount of Credit
Over \$14,000 but not over \$17,500	75%
Over \$17,500 but not over \$18,000	70%
Over \$18,000 but not over \$18,500	65%

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Over \$18,500 but not over \$19,000	60%
Over \$19,000 but not over \$19,500	55%
Over \$19,500 but not over \$20,000	50%
Over \$20,000 but not over \$20,500	45%
Over \$20,500 but not over \$21,000	40%
Over \$21,000 but not over \$23,300	35%
Over \$23,300 but not over \$23,800	30%
Over \$23,800 but not over \$24,300	25%
Over \$24,300 but not over \$24,800	20%
Over \$24,800 but not over \$29,200	15%
Over \$29,200 but not over \$29,700	14%
Over \$29,700 but not over \$30,200	13%
Over \$30,200 but not over \$30,700	12%
Over \$30,700 but not over \$31,200	11%
Over \$31,200 but not over \$56,000	10%
Over \$56,000 but not over \$56,500	9%

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Over \$56,500 but not over \$57,000	8%
Over \$57,000 but not over \$57,500	7%
Over \$57,500 but not over \$58,000	6%
Over \$58,000 but not over \$58,500	5%
Over \$58,500 but not over \$59,000	4%
Over \$59,000 but not over \$59,500	3%
Over \$59,500 but not over \$60,000	2%
Over \$60,000 but not over \$60,500	1%

(G) For taxable years commencing on or after January 1, [2006] 2008,  
but prior to January 1, [2007] 2009:

Connecticut Adjusted Gross Income	Amount of Credit
Over \$14,500 but not over \$18,100	75%
Over \$18,100 but not over \$18,600	70%
Over \$18,600 but not over \$19,100	65%
Over \$19,100 but not over \$19,600	60%
Over \$19,600 but	

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not over \$20,100	55%
Over \$20,100 but	
not over \$20,600	50%
Over \$20,600 but	
not over \$21,100	45%
Over \$21,100 but	
not over \$21,600	40%
Over \$21,600 but	
not over \$24,200	35%
Over \$24,200 but	
not over \$24,700	30%
Over \$24,700 but	
not over \$25,200	25%
Over \$25,200 but	
not over \$25,700	20%
Over \$25,700 but	
not over \$30,200	15%
Over \$30,200 but	
not over \$30,700	14%
Over \$30,700 but	
not over \$31,200	13%
Over \$31,200 but	
not over \$31,700	12%
Over \$31,700 but	
not over \$32,200	11%
Over \$32,200 but	
not over \$58,000	10%
Over \$58,000 but	
not over \$58,500	9%
Over \$58,500 but	
not over \$59,000	8%
Over \$59,000 but	

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not over \$59,500	7%
Over \$59,500 but not over \$60,000	6%
Over \$60,000 but not over \$60,500	5%
Over \$60,500 but not over \$61,000	4%
Over \$61,000 but not over \$61,500	3%
Over \$61,500 but not over \$62,000	2%
Over \$62,000 but not over \$62,500	1%

(H) For taxable years commencing on or after January 1, [2007] 2009:

Connecticut Adjusted Gross Income	Amount of Credit
Over \$15,000 but not over \$18,800	75%
Over \$18,800 but not over \$19,300	70%
Over \$19,300 but not over \$19,800	65%
Over \$19,800 but not over \$20,300	60%
Over \$20,300 but not over \$20,800	55%
Over \$20,800 but not over \$21,300	50%
Over \$21,300 but	

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not over \$21,800	45%
Over \$21,800 but	
not over \$22,300	40%
Over \$22,300 but	
not over \$25,000	35%
Over \$25,000 but	
not over \$25,500	30%
Over \$25,500 but	
not over \$26,000	25%
Over \$26,000 but	
not over \$26,500	20%
Over \$26,500 but	
not over \$31,300	15%
Over \$31,300 but	
not over \$31,800	14%
Over \$31,800 but	
not over \$32,300	13%
Over \$32,300 but	
not over \$32,800	12%
Over \$32,800 but	
not over \$33,300	11%
Over \$33,300 but	
not over \$60,000	10%
Over \$60,000 but	
not over \$60,500	9%
Over \$60,500 but	
not over \$61,000	8%
Over \$61,000 but	
not over \$61,500	7%
Over \$61,500 but	
not over \$62,000	6%
Over \$62,000 but	

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not over \$62,500	5%
Over \$62,500 but not over \$63,000	4%
Over \$63,000 but not over \$63,500	3%
Over \$63,500 but not over \$64,000	2%
Over \$64,000 but not over \$64,500	1%

Sec. 80. Subdivision (1) of subsection (c) of section 12-704c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2002*):

(c) (1) (A) For taxable years commencing prior to January 1, 2000, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-two thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(B) For taxable years commencing on or after January 1, 2000, but prior to January 1, 2001, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-three thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(C) For taxable years commencing on or after January 1, 2001, but

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prior to January 1, [2002] 2004, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-four thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(D) For taxable years commencing on or after January 1, [2002] 2004, but prior to January 1, [2003] 2005, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-five thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(E) For taxable years commencing on or after January 1, [2003] 2005, but prior to January 1, [2004] 2006, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-six thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(F) For taxable years commencing on or after January 1, [2004] 2006, but prior to January 1, [2005] 2007, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-eight thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

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(G) For taxable years commencing on or after January 1, ~~[2005]~~ 2007, but prior to January 1, ~~[2006]~~ 2008, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds sixty thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(H) For taxable years commencing on or after January 1, ~~[2006]~~ 2008, but prior to January 1, ~~[2007]~~ 2009, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds sixty-two thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(I) For taxable years commencing on or after January 1, ~~[2007]~~ 2009, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds sixty-four thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

Sec. 81. Subsection (b) of section 12-711 of the general statutes, as amended by section 37 of public act 01-6 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002, and applicable to taxable years commencing on or after January 1, 2002*):

(b) (1) Items of income, gain, loss and deduction derived from or

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connected with sources within this state shall be those items attributable to: (A) The ownership or disposition of any interest in real or tangible personal property in this state; (B) a business, trade, profession or occupation carried on in this state; (C) in the case of a shareholder of an S corporation, the ownership of shares issued by such corporation, to the extent determined under section 12-712; [or] (D) winnings from a wager placed in a lottery conducted by the Connecticut Lottery Corporation, if the proceeds from such wager [exceed five thousand dollars] are required, under the Internal Revenue Code or regulations adopted thereunder, to be reported by the Connecticut Lottery Corporation to the Internal Revenue Service, or (E) winnings from any other wager placed in this state or from any wagering transaction or gambling activity in this state, if the proceeds from such wager, wagering transaction or gambling activity are required, under the Internal Revenue Code or regulations adopted thereunder, to be reported by the payer to the Internal Revenue Service.

(2) Income from intangible personal property, including annuities, dividends, interest and gains from the disposition of intangible personal property, shall constitute income derived from sources within this state only to the extent that such income is from (A) property employed in a business, trade, profession or occupation carried on in this state, [or] (B) winnings from a wager placed in a lottery conducted by the Connecticut Lottery Corporation, if the proceeds from such wager [exceed five thousand dollars] are required, under the Internal Revenue Code or regulations adopted thereunder, to be reported by the Connecticut Lottery Corporation to the Internal Revenue Service, or (C) winnings from any other wager placed in this state or from any wagering transaction or gambling activity in this state, if the proceeds from such wager, wagering transaction or gambling activity are required, under the Internal Revenue Code or regulations adopted thereunder, to be reported by the payer to the Internal Revenue

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Service.

(3) "In this state" or "within this state" means within the exterior limits of the state of Connecticut and includes all territories within these limits owned by or ceded to the United States of America, all territories owned by federally recognized Indian tribes, and all territories held by the United States of America in trust for federally recognized Indian tribes.

Sec. 82. (NEW) (*Effective from passage*) (a) As used in this section, (1) "person" means person, as defined in section 12-1 of the general statutes; (2) "affected taxable period" means any taxable period ending on or before March 31, 2002, for which (A) a tax return was required by law to be filed with the Commissioner of Revenue Services and for which no return has been previously filed or made by the commissioner on behalf of such person, (B) a tax return was previously filed but not examined by the Department of Revenue Services and on which return the tax was underreported, (C) interest or a penalty was imposed for the late payment of tax, (D) interest or a penalty was imposed, upon examination of a tax return by the department, for underreporting of the tax, or (E) interest or an addition to tax was made where a person failed to file a tax return and the commissioner made a return on behalf of such person; (3) "affected person" means a person owing any tax for an affected taxable period; (4) "tax" means any tax imposed by any law of this state and required to be collected by the department other than the tax imposed under chapter 222 of the general statutes on any licensee, as defined in subdivision (1) of subsection (c) of section 12-486 of the general statutes; (5) "commissioner" means the Commissioner of Revenue Services; and (6) "department" means the Department of Revenue Services.

(b) (1) The commissioner shall establish a tax amnesty program for persons owing any tax for any affected taxable period. The tax amnesty program shall be conducted during the period September 1,

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2002, to November 30, 2002, inclusive.

(2) An amnesty application shall be prepared by the commissioner and shall provide for specification by the affected person of the tax and the affected taxable period for which amnesty is being sought under the tax amnesty program.

(3) The tax amnesty program shall provide that, upon the filing of an amnesty application by the affected person during the tax amnesty period, and payment by such person of all taxes and interest due from such person to this state for affected tax periods, amnesty shall be granted to the applicant by the commissioner, and the commissioner shall waive any civil penalties that may be applicable and shall not seek criminal prosecution for any affected person for an affected taxable period for which amnesty has been granted.

(4) An amnesty application, if filed by an affected person and if granted by the commissioner, shall constitute an express and absolute relinquishment by the affected person of all of the affected person's administrative and judicial rights of appeal that have not run or otherwise expired as of the date payment is made for affected taxable periods, and no payment made by an affected person pursuant to this section for affected taxable periods shall be refunded or credited to such person.

(5) If an affected person who has filed an amnesty application during the tax amnesty period fails to pay all amounts due to this state for affected taxable periods, any amnesty granted pursuant to this section shall be invalid.

(6) No waiver of penalty or reduction of interest pursuant to this section shall entitle any affected person to a refund or credit of any amount previously paid.

(7) (A) In the case of taxes due for an affected taxable period

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described in subparagraph (A) or (B) of subdivision (2) of subsection (a) of this section, interest shall be computed at the rate of three-fourths of one per cent per month or fraction thereof from the date such taxes were originally due to November 30, 2002, and at the rate of one per cent per month or fraction thereof thereafter.

(B) In the case of taxes due for an affected taxable period described in subparagraph (C), (D) or (E) of subdivision (2) of subsection (a) of this section, interest shall be computed at the rate of one per cent per month or fraction thereof from the date such taxes were originally due to the date of payment except as provided in this subparagraph. If the taxes and the interest, as computed under this subparagraph, are paid in full on or before November 30, 2002, interest shall be equal to three-fourths of the interest that the department's records show to be due and payable, as of the date of filing of the amnesty application, for affected taxable periods for which amnesty has been sought by an affected person.

(c) Amnesty shall not be granted pursuant to subsection (b) of this section to any affected person who (1) has received notice from the department that an audit examination is being conducted in relation to the affected taxable period for which amnesty is being sought, or (2) is a party to any criminal investigation or to any civil or criminal litigation that is pending on June 1, 2002, in any court of the United States or this state for failure to file or failure to pay, or for fraud in relation to any tax imposed by any law of this state and required to be collected by the department.

(d) Notwithstanding any provision of law, the commissioner may do all things necessary in order to provide for the timely implementation of this section.

Sec. 83. (*Effective from passage*) The Commissioner of Revenue Services may use up to two million dollars of the revenue received by

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the state from the tax amnesty program established under the provisions of section 25 of this act for the purpose of administering the provisions of this act.

Sec. 84. Section 26-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) Except as provided in subsection (b), the fees for firearms hunting, archery hunting, trapping and sport fishing licenses or for the combination thereof shall be as follows: (1) Resident firearms hunting license, ~~[ten]~~ fourteen dollars; (2) resident fishing license, ~~[fifteen]~~ twenty dollars; (3) resident combination license to firearms hunt and fish, ~~[twenty-one]~~ twenty-eight dollars; (4) resident trapping license, ~~[twenty]~~ twenty-five dollars; (5) resident junior trapping license for persons under sixteen years of age, three dollars; (6) junior firearms hunting license, three dollars; (7) persons sixty-five years of age and over who have been residents of this state for not less than one year and who meet the requirements of subsection (b) of section 26-31 may be issued a lifetime license to firearms hunt or to fish or combination license to fish and firearms hunt or a license to trap without fee; (8) nonresident firearms hunting license, ~~[forty-two]~~ sixty-seven dollars; (9) nonresident fishing license, ~~[twenty-five]~~ forty dollars; (10) nonresident fishing license for a period of three consecutive days, ~~[eight]~~ sixteen dollars; (11) nonresident combination license to firearms hunt and fish, ~~[fifty-five]~~ eighty-eight dollars, and (12) nonresident trapping license, two hundred dollars. The issuing agency shall indicate on a combination license the specific purpose for which such license is issued. The town clerk shall retain a recording fee of one dollar for each license issued by him.

(b) Any nonresident residing in one of the New England states or the state of New York may procure a license to hunt or to fish or to hunt and fish for the same fee or fees as a resident of this state if he is a resident of a state the laws of which allow the same privilege to

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residents of this state.

Sec. 85. Section 26-37 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

The commissioner, upon written application and the payment of a fee of [five] seven dollars, shall issue to any person licensed to hunt, to hunt and trap or fish, or the combination thereof, a duplicate license when he is satisfied that the original license of such person has been lost, destroyed or mutilated beyond recognition. No such application form shall contain any material false statement. All such application forms shall have printed thereon, "I declare under the penalties of false statement that the statements herein made by me are true and correct." Any person who makes any material false statement on such application form shall be guilty of false statement and shall be subject to the penalties provided for false statement and such offense shall be deemed to have been committed in the town of residence of the applicant, except that in the case of applications received from nonresidents such offense shall be deemed to have been committed in the town in which such application is presented or received for processing. The town clerk certifying such application form shall receive from the total fee herein specified the sum of one dollar.

Sec. 86. Section 26-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

Any hunting organization or individual owning and using for hunting an organized pack of ten or more hounds or beagles may hunt foxes or rabbits for sport during the open season provided therefor, provided such organization or individual shall be licensed to do so. The commissioner may issue such license upon application and the payment of an annual fee of [twenty-five] thirty-five dollars. Persons participating in hunting conducted with an organized pack of hounds under such a license shall not be required to have a hunting license. No

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participant in such hunt shall carry firearms.

Sec. 87. Section 26-40 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

No person, association or corporation shall possess more than one live specimen of, breed or propagate any wild game bird or wild game quadruped of the following species without a game breeder's license as provided herein: In the family Anatidae, all ducks, geese and swans; in the family Phasianidae, all quail, partridge and the following strains of pheasant: Blackneck, Chinese, English, Formosan, melanistic mutant and Mongolian or any cross-breeding thereof and for the purpose of section 22-327 all other members of this family shall be classed as domestic fowls; in the family Tetranoidae, the ruffed grouse; in the family Melegrididae, turkeys except domestic strains; in the family Cervidae, the sika and white tail deer; in the family Procyonidae, the raccoon; in the family Mustelidae, the otter; in the family Castoridae, the beaver; and in the family Leporidae, all species except domestic strains. The commissioner, upon written application and the payment of a fee of [fifteen] twenty-one dollars, may license any person, association or corporation to possess, breed, propagate and sell any birds or mammals specified in this section. Such license shall be annual and nontransferable and shall expire on the thirty-first day of December after its issuance. The commissioner may adopt regulations concerning the granting of such licenses and the sale, propagation and transportation of birds or mammals specified in this section propagated and possessed by any such licensee. All applications for such licenses shall be upon blanks prepared and furnished by the commissioner. Any person, association or corporation, licensed under the provisions of this section, shall keep a record of all birds or mammals specified in this section which are sold, transported or propagated by such licensee, whether the same are sold dead or alive, and shall report to the commissioner not later than the January thirty-

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first of the year following the expiration of the license period. Such report shall contain the number of birds and mammals procured, possessed and propagated and the name of each person to whom any such sale has been made and the date of such sale or transportation. Each package containing birds or mammals specified in this section, or any part thereof, so propagated or possessed and offered for transportation shall be plainly labeled with the name and license number of the licensee offering the same for transportation, the name of the consignee and a statement of the contents of such package. Any license granted under the provisions of this section may be revoked by the commissioner. No person, association or corporation may breed, propagate or sell any skunk or raccoon, except that such animals, with the approval of the commissioner may be kept in a zoo, nature center, museum, laboratory or research facility maintained by a scientific or educational institution. In no instance shall such animals be accessible to handling by the general public. No person may possess any skunk purchased in any Connecticut retail establishment after May 1, 1979, or any raccoon purchased after October 1, 1985. Any person, association or corporation which violates any provision of this section or any regulation issued by the commissioner pursuant thereto shall be fined not more than ninety dollars for each offense.

Sec. 88. Section 26-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) No person shall engage in the business of buying raw furs produced in this state without obtaining a license from the commissioner. Such license shall be nontransferable and shall expire on June thirtieth next succeeding its issuance. Any license issued in accordance with the provisions of this section may be revoked for failure of the licensee to report the activities engaged in under the license to the commissioner. Activities shall be reported in a manner and at a time specified by the commissioner. Any conservation officer,

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special conservation officer or recreation officer may examine and inspect any premises used by or records maintained by any person pursuant to a license issued under this section. Notwithstanding any provision of section 1-210 to the contrary, no person shall obtain, attempt to obtain or release to any person or government agency any identifiable individual record of, or information derived from, any report submitted in accordance with the provisions of this section or submitted voluntarily upon request of the commissioner without the consent of the person making the report, except that the commissioner may authorize the release of such information for the purposes of wildlife research, management or development. The fees for such licenses shall be as follows: For each nonresident, or resident, [thirty] forty-two dollars, and for each authorized agent of a licensed resident fur buyer, [twenty] twenty-eight dollars.

(b) The commissioner may adopt regulations in accordance with the provisions of chapter 54 concerning the buying and selling of raw furs. Such regulations may establish (1) procedures for recording and reporting transactions involving raw furs, and (2) tagging requirements for buying and selling raw furs.

(c) Any person who violates any provision of this section shall be fined not less than one hundred dollars nor more than two hundred fifty dollars or imprisoned not more than ten days or be both fined and imprisoned.

Sec. 89. Section 26-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

No person shall possess for the purpose of sale, sell or offer for sale any bait species without first obtaining a bait dealer's license from the commissioner, provided the provisions hereof shall not apply to persons issued a commercial hatchery license under section 26-149. Application forms for such license shall be furnished by the

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commissioner. Such license shall be nontransferable. The fee for each such license shall be [twenty] fifty dollars annually. Each such license shall expire on the last day of December next after issuance. Each such licensed bait dealer may possess and sell only such bait species as shall be authorized under regulations issued by the commissioner, provided live carp and goldfish shall not be possessed for any purpose on premises used by licensed bait dealers. Each such licensee shall keep such records relating to the operation of such business as the commissioner determines on forms furnished by the commissioner and shall file such report with the commissioner within thirty days after the expiration of such license. No such report shall contain any material false statement. Failure to file such report shall be a violation of this section and the commissioner may refuse to reissue such license until the licensee complies with this requirement. Representatives of the commissioner may enter upon the premises of bait dealers at any time to inspect required records and the bait species possessed and to detect violations of this section and regulations issued hereunder by the commissioner, and such representatives may confiscate and dispose of any fish illegally possessed. Any person who violates any provision of this section or any such regulation issued by the commissioner shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned not more than thirty days or both.

Sec. 90. Section 26-47 of the general statutes, as amended by section 1 of public act 01-204 and section 73 of public act 01-9 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) When it is shown to the satisfaction of the commissioner that wildlife is causing unreasonable damage to agricultural crops during the night and it is found by the commissioner that control of such damage by wildlife is impracticable during the daylight hours, the

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commissioner may issue permits for the taking of such wildlife as the commissioner deems necessary to control such damage by such method as the commissioner determines, including the use of lights, during the period between sunset and sunrise, upon written application of the owner or lessee of record of the land on which such crops are grown. Such permits may be issued to any qualified person designated by such landowner or lessee. The person to whom such permit is issued shall be held responsible for complying with the conditions under which such permit is issued. The provisions of this section shall not apply to deer.

(b) (1) No person shall engage in the business of controlling nuisance wildlife, other than rats or mice, without obtaining a license from the commissioner. Such license shall be valid for a period of two years and may be renewed in accordance with a schedule established by the commissioner. The fee for such license shall be [one] two hundred dollars. The controlling of nuisance wildlife at the direction of the commissioner shall not constitute engaging in the business of controlling nuisance wildlife for the purposes of this section. No person shall be licensed under this subsection unless the person: (A) Provides evidence, satisfactory to the commissioner, that the person has completed training which included instruction in site evaluation, methods of nonlethal and approved lethal resolution of common nuisance wildlife problems, techniques to prevent reoccurrence of such problems and humane capture, handling and euthanasia of nuisance wildlife and instruction in methods of nonlethal resolution of common nuisance wildlife problems, including, but not limited to, training regarding frightening devices, repellants, one-way door exclusion and other exclusion methods, habitat modification and live-trapping and releasing and other methods as the commissioner may deem appropriate; and (B) is a resident of this state or of a state that does not prohibit residents of this state from being licensed as nuisance wildlife control operators because of lack of residency.

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(2) The licensure requirements shall apply to municipal employees who engage in the control or handling of animals, including, but not limited to, animal control officers, except that no license shall be required of such employees for the emergency control of rabies. Notwithstanding the requirements of this subsection, the commissioner shall waive the licensure fee for such employees. The commissioner shall provide to such municipal employees, without charge, the training required for licensure under this subsection. A license held by a municipal employee shall be noncommercial, nontransferable and conditional upon municipal employment.

(3) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, which (A) define the scope and methods for controlling nuisance wildlife provided such regulations shall incorporate the recommendations of the 1993 report of the American Veterinary Medical Association panel on euthanasia and further provided such regulations may provide for the use of specific alternatives to such recommendations only in specified circumstances where use of a method of killing approved by such association would involve an imminent threat to human health or safety and only if such alternatives are designed to kill the animal as quickly and painlessly as practicable while protecting human health and safety, and (B) establish criteria and procedures for issuance of a license.

(4) Except as otherwise provided in regulations adopted under this section, no person licensed under this subsection may kill any animal by any method which does not conform to the recommendations of the 1993 report of the American Veterinary Medical Association panel on euthanasia. No person may advertise any services relating to humane capture or relocation of wildlife unless all methods employed in such services conform to such regulations.

(5) Any person licensed under this subsection shall provide all clients with a written statement approved by the commissioner

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regarding approved lethal and nonlethal options, as provided in this subsection, which are available to the client for resolution of common nuisance problems. If a written statement cannot be delivered to the client prior to services being rendered, the licensee shall leave the statement at the job site or other location arranged with the client.

(6) Each person licensed under this subsection shall submit a report to the commissioner, on such date as the commissioner may determine, that specifies the means utilized in each case of nuisance wildlife control service provided in the preceding calendar year including any method used in those cases where an animal was killed. Any information included in such report which identifies a client of such person or the client's street address may be released by the commissioner only pursuant to an investigation related to enforcement of this section.

(c) Any person who violates any provision of this section, or any condition under which a permit or license is issued, shall be fined not less than twenty-five dollars nor more than two hundred dollars or be imprisoned not more than sixty days or be both fined and imprisoned; and any permit or license issued to such person, and all other such permits or licenses issued to any other person for such property, shall be revoked by the commissioner and the right to obtain such permit or license shall remain suspended for such period of time as the commissioner determines.

(d) Any permit or license issued under this section shall not authorize the taking of deer.

Sec. 91. Section 26-48 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

The commissioner may issue permits authorizing the establishment and operation of regulated private shooting preserves when in his

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judgment such preserves will not conflict with any reasonable prior public interest. The fee for such permit shall be ~~[thirty-five]~~ fifty dollars per season. A hunting license shall not be required to hunt on such private shooting preserves. The commissioner shall govern and prescribe by regulations the size of the preserves, the methods of hunting, the species and sex of birds that may be taken, the open and closed seasons, the tagging of birds with tags furnished by the commissioner at a reasonable fee and the releasing, possession and use of legally propagated game birds thereon; and may require such reports as the commissioner deems necessary concerning the operation of such preserves. Any permit issued under the provisions of this section may be revoked for a violation of any provision of this chapter or for a violation of any regulation made by the commissioner relating to private shooting preserves.

Sec. 92. Section 26-48a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) The commissioner may establish, by regulations adopted in accordance with the provisions of chapter 54, standards for the management of salmon, migratory game birds in accordance with section 26-92, pheasant and turkey which shall include provision for the issuance of permits, tags or stamps. The commissioner may charge a fee for a permit, tag or stamp as follows: Not more than ~~[ten]~~ fourteen dollars for turkey; not more than ~~[two]~~ three dollars for migratory game birds; not more than ~~[ten]~~ fourteen dollars for pheasant and not more than ~~[twenty]~~ twenty-eight dollars for salmon. No person shall be issued a permit, tag or stamp for migratory birds, pheasant or turkey without first obtaining a license to hunt and no person shall be issued a permit, tag or stamp for salmon without first obtaining a license to fish. Notwithstanding any provision of any regulation to the contrary, the commissioner may charge a fee of ~~[ten]~~ fourteen dollars for the issuance of a permit to hunt wild turkey on

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state-owned or private land during the fall season.

(b) Such permits, tags or stamps shall be issued to qualified applicants by any town clerk. Application for such permits, tags or stamps shall be on such form and require of the applicant such information as the commissioner may prescribe. The commissioner may adopt regulations in accordance with the provisions of chapter 54 authorizing a town clerk to retain part of any fee paid for a permit, tag or stamp issued by such town clerk pursuant to this section, provided the amount retained shall not be less than fifty cents.

Sec. 93. Section 26-49 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) Any person holding a valid hunting license issued as provided for under section 26-27 is authorized to train hunting dogs in the field during any closed season, except during any period when the woods and fields are closed by proclamation issued by the commissioner because of forest fire hazard, under regulations issued by the commissioner.

(b) Said commissioner may authorize the establishment and operation of regulated hunting dog-training areas and may issue to any person holding a private shooting preserve permit, as provided for under section 26-48, as amended by this act, or to any established game breeder holding a game breeder's license, as provided for under section 26-40, as amended by this act, or to any person holding a commercial kennel license, as provided for under section 22-342, a permit, which shall expire on June thirtieth next after issuance and for which a fee of [ten] fourteen dollars shall be charged, authorizing the liberation of artificially propagated game birds and pigeons, legally possessed and suitably tagged with tags furnished by the commissioner, for which a reasonable fee may be charged, and the subsequent shooting of such game birds and pigeons by persons

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authorized by any such permittee, in connection with the training of hunting dogs only, at any time, including Sunday; provided permission to shoot on Sunday on the area specified in the permit shall have the approval of the proper authorities of the town or towns in which such dog-training area is located and shall apply only to the period from sunrise to sunset.

(c) A hunting license shall be required of all persons authorized by any such permittee to train any dog on any such regulated dog-training area, whether or not birds are to be shot.

(d) The commissioner may, by regulation, govern and prescribe the size and the location of any such dog-training area, the number of birds that may be released in ratio to the number of participants or the number of dogs being trained, the method of liberation and retrapping of pen raised birds, the species, sex and condition of such birds that may be liberated and shot, the method of tagging such birds, the posting of such area and the method of reporting all such activities.

(e) Any such permit may be revoked at any time by the commissioner for a violation of any provision of this section or any regulation issued by the commissioner under the provisions of this section, for a period of not more than one year.

(f) Any person who violates any provision of this section or any regulation issued by the commissioner hereunder shall be fined not less than twenty-five nor more than one hundred dollars.

Sec. 94. Section 26-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

The commissioner may, upon application and payment of a fee of [five] seven dollars, issue to any responsible person or organization a permit to hold a field dog trial subject to such regulations as he may prescribe. Any such permit may be revoked by the commissioner at

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any time.

Sec. 95. Section 26-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

The commissioner may issue to any responsible person or authorized field trial group a permit to hold field dog trials, on land approved by the commissioner as suitable for the purpose, at any time, including Sunday, during daylight hours, at which liberated game birds, waterfowl and pigeons legally possessed may be shot. All such game birds shall, immediately after being shot, be tagged with tags furnished by the commissioner, for which a reasonable fee may be charged. Such game birds so tagged may be possessed, transported, bought and sold at any time. Tags shall not be removed from such game birds until such time as such birds are finally prepared for consumption. The commissioner may, by regulation, govern and prescribe the minimum number of such birds that shall be released, the method of liberating and the method of taking such birds, the species and sex of such birds that may be shot, locations where such field dog trials may be held, periods of the year when such field dog trials may be held, the maximum number of such field dog trials that shall be sponsored or conducted by an individual or group during the period from July first to June thirtieth and the method of reporting all such activities. Notwithstanding the provision of any regulation to the contrary, the fee for a permit to hold a field dog trial on state-owned land shall be [twenty] twenty-eight dollars and the fee for a permit to hold a field dog trial on private land shall be [ten] fourteen dollars.

Sec. 96. Section 26-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) No person shall practice taxidermy for profit unless he has obtained a license from the commissioner. The commissioner may, upon the application of any citizen of this state, accompanied by

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payment of a fee of [sixty] eighty-four dollars, issue to such person a license to practice taxidermy, which license shall expire on December thirty-first next following the date of issue. Any such licensee shall permit, at any time, any law enforcement officer to examine and inspect any premises used by him for the practice of taxidermy. Such licensee may receive any bird or animal legally killed in this state or any bird or animal legally killed and imported into this state, for the purpose of tanning, curing or mounting the same, and the provisions of section 26-76 shall not apply to such person. Each licensee shall make an annual report to the commissioner, containing such information as he requires.

(b) Any person who violates any provision of subsection (a) of this section shall be fined not less than one dollar nor more than one hundred dollars or imprisoned not more than thirty days or be both fined and imprisoned.

(c) The license of any person to practice taxidermy may be revoked or suspended at any time for cause by the commissioner.

Sec. 97. Section 26-60 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

The commissioner may grant to any properly accredited person not less than eighteen years of age, upon written application, a permit to collect fish, crustaceans and wildlife and their nests and eggs, for scientific and educational purposes only, and not for sale or exchange or shipment from or removal from the state without the consent of the commissioner. The commissioner may determine the number and species of such fish, crustaceans and wildlife and their nests and eggs which may be taken and the area and method of collection of such fish, crustaceans and wildlife under any permit in any year. The permit shall be issued for a term established by the commissioner in accordance with federal regulations and shall not be transferable. The

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commissioner shall charge an annual fee of [ten] twenty dollars for such permit. Each person receiving a permit under the provisions of this section shall report to the commissioner on blanks furnished by the commissioner, at or before the expiration of such permit, the detailed results of the collections made thereunder. Any person violating the provisions of this chapter or of the permit held by him shall be subject to the penalties provided in section 26-64, and, upon conviction of such violation, the permit so held by him shall become void.

Sec. 98. Section 26-86a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) The commissioner shall establish by regulation adopted in accordance with the provisions of chapter 54 standards for deer management, and methods, regulated areas, bag limits, seasons and permit eligibility for hunting deer with bow and arrow, muzzleloader and shotgun, except that no such hunting shall be permitted on Sunday. No person shall hunt, pursue, wound or kill deer with a firearm without first obtaining a deer permit from the commissioner in addition to the license required by section 26-27. Application for such permit shall be made on forms furnished by the commissioner and containing such information as he may require. Such permit shall be of a design prescribed by the commissioner, shall contain such information and conditions as the commissioner may require, and may be revoked for violation of any provision of this chapter or regulations adopted pursuant thereto. As used in this section, muzzleloader means a rifle or shotgun of at least forty-five caliber, incapable of firing a self-contained cartridge, which uses powder, ball and wadding loaded separately at the muzzle end and rifle means a long gun which uses centerfire ammunition and the projectile of which is six millimeters or larger in diameter. The fee for a firearms permit shall be [ten] fourteen dollars for residents of the state and [thirty] fifty dollars for

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nonresidents. The commissioner shall issue, without fee, a private land deer permit to the owner of ten or more acres of private land and the husband or wife, parent, grandparent, sibling and any lineal descendant of such owner, provided no such owner, husband or wife, parent, grandparent, sibling or lineal descendant shall be issued more than one such permit per season. Such permit shall allow the use of a rifle, shotgun, muzzleloader or bow and arrow on such land from November first to December thirty-first, inclusive. Deer may be so hunted at such times and in such areas of such state-owned land as are designated by the Commissioner of Environmental Protection and on privately owned land with the signed consent of the landowner, on forms furnished by the department, and such signed consent shall be carried by any person when so hunting on private land. The owner of ten acres or more of private land may allow the use of a rifle to hunt deer on such land during the shotgun season. The commissioner shall determine, by regulation, the number of consent forms issued for any regulated area established by said commissioner. The commissioner shall provide for a fair and equitable random method for the selection of successful applicants who may obtain shotgun and muzzleloader permits for hunting deer on state lands. Any person whose name appears on more than one application for a shotgun permit or more than one application for a muzzleloader permit shall be disqualified from the selection process for such permit. No person shall hunt, pursue, wound or kill deer with a bow and arrow without first obtaining a bow and arrow permit pursuant to section 26-86c, as amended by this act. "Bow and arrow" as used in this section and in section 26-86c, as amended by this act, means a bow capable of propelling a hunting type arrow of not less than four hundred grains, one hundred fifty yards free flight on level ground. The arrowhead shall have two or more blades and may not be less than seven-eighths of an inch at the widest point. No person shall carry firearms of any kind while hunting with a bow and arrow under said sections.

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(b) Any person who takes a deer without a permit shall be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned not less than thirty days nor more than six months or shall be both fined and imprisoned, for the first offense, and for each subsequent offense shall be fined not less than two hundred dollars nor more than one thousand dollars or imprisoned not more than one year or shall be both fined and imprisoned.

Sec. 99. Section 26-86c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

No person may hunt deer or small game with a bow and arrow under the provisions of this chapter without a valid permit issued by the Commissioner of Environmental Protection pursuant to this section or section 26-86a, as amended by this act, for persons hunting deer with bow and arrow under private land deer permits issued free to qualifying landowners, husband or wife, parent, grandparent, lineal descendant or siblings under that section. The fee for such bow and arrow permit to hunt deer and small game shall be ~~[twenty-two]~~ thirty dollars for residents and ~~[forty-four]~~ one hundred dollars for nonresidents, or thirteen dollars for any person twelve years of age or older but under sixteen years of age. Permits to hunt with a bow and arrow under the provisions of this chapter shall be issued only to qualified applicants therefor by the Commissioner of Environmental Protection, in such form as said commissioner prescribes. Applications shall be made on forms furnished by the commissioner containing such information as he may require and all such application forms shall have printed thereon: "I declare under the penalties of false statement that the statements herein made by me are true and correct." Any person who makes any material false statement on such application form shall be guilty of false statement and shall be subject to the penalties provided for false statement and said offense shall be deemed to have been committed in the town in which the applicant

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resides. No such application shall contain any material false statement. On and after January 1, 2002, permits to hunt with a bow and arrow under the provisions of this chapter shall be issued only to qualified applicants who have successfully completed the conservation education bow hunting course as specified in section 26-31 or an equivalent course in another state.

Sec. 100. Section 26-131 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

Any owner of private waters who desires to remove fish from such waters as provided for in this section shall apply to the commissioner for a certificate of registration of such private waters on a form furnished by the commissioner. Such applicant shall furnish the commissioner such information, under oath, as he deems necessary to carry out the provisions of this section. There shall be a fee of [fifty] seventy dollars for the examination and permanent registration of such private waters by the commissioner. Any owner of private waters which have been so registered may take, or permit guests to take, any species of fish from such waters at any season of the year, without a license, provided such waters have not been stocked at expense to the state and provided the commissioner may make regulations governing and prescribing the methods of taking such fish and the conditions under which such fish may be removed from the premises, possessed and transported. The owner of such registered waters shall notify the commissioner in writing, within forty-eight hours, of any change in ownership or other conditions which would invalidate the registration of such water as private waters under the provisions of this section. Any person who holds such a certificate of registration and who violates any provision of this section or any regulation issued by the commissioner as herein authorized shall be fined not more than two hundred dollars and the commissioner may suspend or revoke such certificate.

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Sec. 101. Section 26-142a of the general statutes, as amended by section 1 of public act 01-150, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(a) For the purposes of this section, an environmental tourism cruise vessel is one which is operated for a fee for the purpose of education and observation and retention of marine and estuarine resources collected under the conditions of the permit issued under this section, except that holders of a permit issued under section 26-60, as amended by this act, shall not be required to obtain a permit under this section. No person shall operate, use or attempt to operate or use a vessel for commercial fishing or landing activities authorized by this section unless the commissioner has issued a vessel permit for such vessel to the owner of the vessel. No person shall operate, use or attempt to operate or use a vessel or commercial fishing gear for environmental tourism cruises authorized by this section unless the commissioner has issued an environmental tourism cruise permit for such vessel, including conditions for the use of such fishing gear, to the owner of the vessel. No person shall use or assist in using commercial fishing gear in any water of the state or land in this state any species taken by commercial fishing gear or for commercial purposes, regardless of where such species was taken, unless such person has been licensed by the Commissioner of Environmental Protection to use such commercial fishing gear or land such species; except that any person who holds a license to set or tend gill nets, a license to take lobsters or fish for personal use, a resident commercial fishing license, a nonresident commercial fishing license or a commercial landing license may be accompanied and assisted by persons not so licensed. A resident of a state which does not issue commercial licenses to take eels to residents of Connecticut shall not be eligible to obtain a commercial license to take eels in the waters of this state or to land eels in this state. No vessel shall be used to land any finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species for sale,

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barter, exchange, consignment or transportation to any point of sale unless an operator of the vessel is licensed for such purpose, except that any person who holds a commercial fishing license issued by the commissioner to fish by the method used to take such species, regardless of where such species were taken, shall not be required to obtain a landing license. No person shall take or attempt to take lobsters or horseshoe crabs for personal use by hand or by scuba diving or skin diving unless such person has been licensed by the commissioner to take lobsters or horseshoe crabs by such methods. No person shall take or attempt to take finfish for commercial purposes by the use of hook and line, including, but not limited to, rod and reel, hand line, set line, long line, or similar device unless such person has been licensed by the commissioner to use such gear for commercial purposes, except that notwithstanding the issuance of such a license, no person shall take finfish for commercial purposes in the inland district by the use of hook and line. The use of a purse seine or similar device to take species is prohibited. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to conserve the menhaden fishery and such regulations may provide for a moratorium on the taking of menhaden for any period of time that the commissioner deems necessary. No pound net shall be used to take finfish unless such pound net is registered with the commissioner. Lobsters and blue crabs taken in pound nets shall be released unharmed. No person shall buy for resale finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops or squid landed in Connecticut from any commercial fisherman unless such buyer has been licensed by the commissioner. No person shall take or assist in taking blue crabs for commercial purposes except by scoop net, hand line or manually operated and personally attended devices approved by the commissioner and unless such person has been licensed by the commissioner. No person shall operate a charter boat, party boat or head boat for the purpose of fishing unless such boat has been registered for such purpose with the commissioner. The owner,

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operator or captain of any such boat may sell the boat's or crew's share of any catch if such sale is not prohibited on the basis of species, size or closed season. For the purposes of this chapter, a charter boat, party boat or head boat is a vessel carrying one or more crew members and which is operated for a fee for the purpose of transporting and providing a fishing platform for sport fishermen in the marine district. The commissioner may by regulations adopted in accordance with the provisions of chapter 54 exempt certain minnow seines, cast nets, scoop nets, traps, eel pots, seines less than thirty feet in length or any similar device used to take bait species and other species for personal use under a sport fishing license in the inland district and without a license in the marine district. No vessel used to take bait species may employ a fish pump. Persons licensed, registered or issued a permit to engage in activities authorized by this subsection shall carry on their persons or in the vessel being used to engage in such activity the permit, license or registration covering such activity.

(b) The commissioner shall issue fishing licenses, vessel permits and registrations to qualified applicants upon the submission of an application, on forms provided by the commissioner, containing such information as prescribed by the commissioner, and upon the payment of such license, registration or permit fees as are required by subsection (c) of this section, except that a nonresident whose permit, license or registration in the state of residence has been voided or suspended shall have the Connecticut permit, license or registration voided or suspended during the suspension of such out-of-state permit, license or registration or until another permit, license or registration is obtained in the state of residence. The commissioner shall not issue any fishing license or registration or vessel permit to any applicant who has not met the reporting requirements of section 26-157b. No vessel permit shall be issued to any person for any vessel during the time period that such vessel permit has been revoked pursuant to subsection (f) of this section. Any fishing license or

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registration or vessel permit issued by the commissioner shall be nontransferable and shall expire on the thirty-first day of December next following its issuance.

(c) The fee for the following fishing licenses and registrations and for a commercial fishing vessel permit shall be: (1) For a license to take blue crabs for commercial purposes, [~~fifty~~] seventy-five dollars; (2) for a license to take lobsters for personal use, but not for sale, (A) by the use of not more than ten lobster pots, traps or similar devices provided finfish may be taken incidentally during such use if taken in accordance with recreational fishery creel limits adopted under section 26-159a and if taken for personal use and not for sale, or (B) by skin diving, scuba diving or by hand, [~~fifty~~] sixty dollars; (3) for a license to take lobsters or crabs, other than blue crabs for personal use or for sale, by the use of more than ten lobster pots or similar devices, one hundred fifty dollars for residents of this state and two hundred twenty-five dollars for nonresidents, provided any such license issued to a resident of a state that does not issue commercial licenses conferring the same authority to take lobsters to residents of Connecticut shall be limited to the taking of crabs, other than blue crabs, and a nonresident shall not be issued such license if the laws of the nonresident's state concerning the taking of lobster are less restrictive than regulations adopted pursuant to section 26-157c; (4) for a license to take lobsters, crabs other than blue crabs, squid, sea scallops and finfish, for personal use or for sale, by the use of more than ten lobster pots or similar devices, or by the use of any otter trawl, balloon trawl, beam trawl, sea scallop dredge or similar device, [~~one hundred fifty~~] two hundred twenty-five dollars for residents of this state and [~~two hundred twenty-five~~] one thousand two hundred fifty dollars for nonresidents, provided any such license issued to residents of states which do not issue commercial licenses conferring the same authority to take lobsters to residents of Connecticut shall be limited to the taking of crabs other than blue crabs, squid, sea scallops and finfish

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by the use of any otter trawl, balloon trawl, beam trawl, sea scallop dredge or similar device, and a nonresident shall not be issued such license if the laws of the state of residency concerning the taking of lobster are less restrictive than regulations adopted under the authority of section 26-157c; (5) for a license to set, tend or assist in setting or tending gill nets, seines, scap or scoop nets used to take shad, one hundred dollars; (6) for the registration of each pound net or similar device used to take finfish, ~~[one hundred]~~ two hundred twenty-five dollars, provided persons setting, operating, tending or assisting in setting, operating or tending such pound nets shall not be required to be licensed; (7) for a license to set or tend gill nets, to tend or assist in setting or tending seines, traps, fish pots, cast nets, fykes, scaps, scoops, eel pots or similar devices to take finfish other than shad or bait species for commercial purposes, or, in any waters seaward of the inland district demarcation line, to take finfish other than shad or bait species for commercial purposes by hook and line, or to take horseshoe crabs by hand, one hundred fifty dollars for residents of this state and two hundred dollars for nonresidents, and any such license obtained for the taking of any fish species for commercial purposes by hook and line, in excess of any creel limit adopted under the authority of section 26-159a, ~~[one]~~ three hundred dollars for residents of this state and five hundred dollars for nonresidents, provided for the taking for bait of horseshoe crabs only, this license may be issued without regard to the limitations in section 26-142b to any holder of a Department of Agriculture conch license who held such license between January 1, 1995, and July 1, 2000, inclusive; (8) for a license to set, tend or assist in setting, operating or tending seines, traps, scaps, scoops, weirs or similar devices to take bait species in the inland district for commercial purposes, ~~[twenty]~~ fifty dollars; (9) for a license to set, tend or assist in setting, operating or tending seines, traps, scaps, scoops or similar devices to take bait species in the marine district for commercial purposes, ~~[twenty]~~ fifty dollars; (10) for a license to buy finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea

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scallops, squid or bait species for resale from any commercial fisherman licensed to take or land such species for commercial purposes, regardless of where taken, [twenty-five] two hundred dollars; (11) for the registration of any party boat, head boat or charter boat used for fishing, [twenty-five] two hundred fifty dollars; (12) for a license to land finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species, [two hundred twenty-five] four hundred dollars; (13) for a commercial fishing vessel permit, fifty dollars; (14) for a license to take menhaden from marine waters for personal use, but not for sale, by the use of a single gill net not more than sixty feet in length, fifty dollars; (15) for an environmental tourism cruise vessel permit, fifty dollars, provided the landing of any species regulated under Department of Environmental Protection regulations is prohibited.

(d) The commissioner may determine for all waters of the state, including the inland and marine districts, areas within which commercial fishing gear may be set or used, the specifications and dimensions of such commercial fishing gear, including materials, length, depth, width, and size of mesh, the length of set lines or long lines, the number and size of hooks, and, for all commercial fishing and landing activities by persons issued either a commercial fishing vessel permit or a license by the commissioner, regardless where such activities take place, the species which may be taken, possessed or landed, the seasons in which species may be taken, possessed or landed, the number and size of finfish, squid and crabs, including blue crabs, which may be taken, possessed or landed and the rules regulating the use of commercial fishing gear, including hours or days of use, and the number of licenses, permits or registrations which may be issued. The commissioner may also order the emergency closure of any fishery if such closure is necessary to conform to regulations adopted under the Fishery Conservation and Management Act of 1976 (Public Law 94-265, as amended) or by other regional fisheries

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management authorities.

(e) The commissioner may, during and for any reasonable period of time prior to and after the spawning period of any inland or marine game fish or food fish, close any portion of any inland or marine water where any such fish congregate prior to or during the spawning season.

(f) The commissioner shall revoke any commercial fishing vessel permit issued under authority of subsection (b) upon conviction or upon the forfeiture of any bond taken upon any complaint, for the following offenses: (1) Possession of ten or more egg-bearing lobsters or lobsters from which the eggs have been removed; (2) possession of either: (A) Ten or more lobsters less than the minimum length if such lobsters constitute more than ten per cent of the lobsters on board; or (B) fifty lobsters which are less than the minimum length, whichever is the lesser amount; (3) possession of either: (A) Twenty or more finfish of at least one species which are less than the minimum length if such finfish constitute more than ten per cent of the finfish on board for that species; or (B) one hundred finfish of at least one species which are less than the minimum length, whichever is the lesser amount; (4) for a second offense within seven hundred and thirty days in violation of regulations relating to bottom trawl nets adopted under section 26-142a; (5) for a second offense within seven hundred and thirty days for possession of finfish or lobsters more than ten per cent in excess of possession limits specified in regulations adopted under authority of section 26-157c or 26-159a. Said revocation period shall be for one hundred and eighty days for a first offense, one year for a second offense, two years for a third offense, and shall be permanent for a fourth offense. The provisions of this subsection are in addition to and in no way derogate from any other enforcement provision or penalty contained in any other statute.

(g) Any person who violates any provision of this part relating to

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commercial fishing vessel permits shall be fined no more than five hundred dollars or imprisoned not more than thirty days or both, and each violation of any provision of this section relating to commercial fishing vessel permits shall constitute a separate offense.

(h) Notwithstanding the requirements of subsection (a) of this section, no commercial fishing vessel permit shall be required for any vessel used for the operation of an environmental tourism cruise, a charter, party or head boat or for a vessel used for taking of lobsters for personal use only, or a vessel used for taking inland or marine bait, blue crabs, or American shad, or any vessel used in support of a vessel issued a commercial fishing vessel permit and engaged in the operation of a registered marine pound net.

Sec. 102. Subsection (g) of section 26-61 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2003*):

(g) Any person whose privilege to hunt, trap or guide has been suspended or revoked in any jurisdiction within the United States or Canada shall be prohibited from purchasing a hunting, fishing or trapping license in this state during such period of revocation or suspension provided the offense for which such privilege was suspended or revoked is substantially similar to an offense described in sections 26-62, 26-74, 26-82 to 26-90, inclusive, 53-204 and 53-205 or the regulations adopted under section 26-66 regarding trapping, hunting before or after legal hours, hunting within five hundred feet of occupied buildings or discharging firearms toward people or across roadways, [ or the regulations adopted under section 26-31b regarding guide services.] If such person has previously purchased a license to hunt, fish or trap in this state, the commissioner, after notice and hearing in accordance with the provisions of chapter 54, may suspend such license for the same period as determined in the other jurisdiction or may revoke such license if such privilege was revoked in the other

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jurisdiction. Such person shall surrender such license to the commissioner or the authorized agent of the commissioner. No person shall possess a license which has been suspended or revoked under this section.

Sec. 103. Section 52-258 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

The jury fee in civil actions shall be three hundred fifty dollars to be paid at the time the case is claimed for the jury by the party at whose request the case is placed upon the jury docket. The jury fee shall be taxed in favor of the party paying the jury fee in the bill of costs in the action, if final judgment thereon is rendered in his favor.

Sec. 104. Section 52-259 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

There shall be paid to the clerks for entering each appeal or writ of error to the Supreme Court, or entering each appeal to the Appellate Court, as the case may be, two hundred fifty dollars, and for each civil cause in the Superior Court, one hundred eighty-five dollars; except (1) seventy-five dollars for entering each case in the Superior Court in which the sole claim for relief is damages and the amount, legal interest or property in demand is less than two thousand five hundred dollars and for summary process, landlord and tenant and paternity actions, and (2) there shall be no entry fee for making an application to the Superior Court for relief under section 46b-15, as amended, or for making an application to modify or extend an order issued pursuant to section 46b-15, as amended. If the amount, legal interest or property in demand by the plaintiff is alleged to be less than two thousand five hundred dollars, a new entry fee of seventy-five dollars shall be charged if the plaintiff amends his complaint to state that such demand is not less than two thousand five hundred dollars. The fee for the entry of a small claims case shall be [thirty] thirty-five dollars. If a

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motion is filed to transfer a small claims case to the regular docket, the moving party shall pay a fee of seventy-five dollars. There shall be paid to the clerk of the Superior Court by any party who requests a finding of fact by a judge of such court to be used on appeal the sum of twenty-five dollars, to be paid at the time the request is filed. There shall be paid to the clerk of the Superior Court a fee of seventy-five dollars for a petition for certification to the Supreme Court and Appellate Court. Such clerks shall also receive for receiving and filing an assessment of damages by appraisers of land taken for public use or the appointment of a commissioner of the Superior Court, two dollars; for recording the commission and oath of a notary public or certifying under seal to the official character of any magistrate, ten dollars; for certifying under seal, two dollars; for exemplifying, twenty dollars; for making all necessary records and certificates of naturalization, the fees allowed under the provisions of the United States statutes for such services; and for making copies, one dollar a page. There shall be paid to the clerk of the Superior Court for a copy of a judgment file a fee of fifteen dollars, inclusive of the fees for certification and copying, for a certified copy and a fee of ten dollars, inclusive of the fee for copying, for a copy which is not certified; for a copy of a certificate of judgment in a foreclosure action, as provided by the rules of practice and procedure, twenty dollars, inclusive of the fees for certification and copying. There shall be paid to the clerk of the court a fee of fifty dollars at the time any application for a prejudgment remedy is filed. A fee of twenty dollars for any check issued to the court in payment of any fee which is returned as uncollectible by the bank on which it is drawn may be imposed. The tax imposed under chapter 219 shall not be imposed upon any fee charged under the provisions of this section.

Sec. 105. Section 52-259c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) There shall be paid to the clerk of the Superior Court upon the

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filing of any motion to open, set aside, modify or extend any civil judgment rendered in Superior Court a fee of thirty-five dollars for any housing matter and a fee of [sixty] seventy dollars for any other matter, except no fee shall be paid upon the filing of any motion to open, set aside, modify or extend judgments in small claims and juvenile matters or orders issued pursuant to section 46b-15, as amended. Such fee may be waived by the court.

(b) Upon the filing of a motion to open or reargue a judgment in any civil appeal rendered by the Supreme Court or Appellate Court or to reconsider any other civil matter decided in either court, the party filing the motion shall pay a fee of [sixty] seventy dollars.

Sec. 106. Subdivision (1) of subsection (a) of section 52-356a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) (1) On application of a judgment creditor or his attorney, stating that a judgment remains unsatisfied and the amount due thereon, and subject to the expiration of any stay of enforcement and expiration of any right of appeal, the clerk of the court in which the money judgment was rendered shall issue an execution pursuant to this section against the nonexempt personal property of the judgment debtor other than debts due from a banking institution or earnings. The application shall be accompanied by a fee of [ten] twenty dollars payable to the clerk of the court for the administrative costs of complying with the provisions of this section which fee may be recoverable by the judgment creditor as a taxable cost of the action. In the case of a consumer judgment, the application shall indicate whether, pursuant to an installment payment order under subsection (b) of section 52-356d, the court has entered a stay of execution and, if such a stay was entered, shall contain a statement of the judgment creditor or his attorney as to the debtor's default on payments. The execution shall be directed to any levying officer.

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Sec. 107. Subsection (a) of section 52-361a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) If a judgment debtor fails to comply with an installment payment order, the judgment creditor may apply to the court for a wage execution. The application shall contain the judgment creditor's or his attorney's statement setting forth the particulars of the installment payment order and of the judgment debtor's failure to comply. The application shall be accompanied by a fee of ~~[ten]~~ twenty dollars payable to the clerk of the court for the administrative costs of complying with the provisions of this section which fee may be recoverable by the judgment creditor as a taxable cost of the action.

Sec. 108. Section 14-227a of the general statutes, as amended by section 1 of public act 01-201, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) No person shall operate a motor vehicle while under the influence of intoxicating liquor or any drug or both. A person commits the offense of operating a motor vehicle while under the influence of intoxicating liquor or any drug or both if such person operates a motor vehicle on a public highway of this state or on any road of a district organized under the provisions of chapter 105, a purpose of which is the construction and maintenance of roads and sidewalks, or on any private road on which a speed limit has been established in accordance with the provisions of section 14-218a, or in any parking area for ten or more cars or on any school property (1) while under the influence of intoxicating liquor or any drug or both, or (2) while such person has an elevated blood alcohol content. For the purposes of this section, "elevated blood alcohol content" means [(A)] a ratio of alcohol in the blood of such person that is ~~[ten-hundredths]~~ eight-hundredths of one per cent or more of alcohol, by weight, [, or (B) if such person has been convicted of a violation of this subsection, a ratio of alcohol in the

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blood of such person that is seven-hundredths of one per cent or more of alcohol, by weight.]

[(b) No person shall operate a motor vehicle on a public highway of this state or on any road of a district organized under the provisions of chapter 105, a purpose of which is the construction and maintenance of roads and sidewalks, or on any private road on which a speed limit has been established in accordance with the provisions of section 14-218a, or in any parking area for ten or more cars or on any school property while such person's ability to operate such motor vehicle is impaired by the consumption of intoxicating liquor. A person shall be deemed impaired when at the time of the alleged offense the ratio of alcohol in the blood of such person was more than seven-hundredths of one per cent of alcohol, by weight, but less than ten-hundredths of one per cent of alcohol, by weight.]

[(c)] (b) Except as provided in subsection [(d)] (c) of this section, in any criminal prosecution for violation of subsection (a) [or (b)] of this section, evidence respecting the amount of alcohol or drug in the defendant's blood or urine at the time of the alleged offense, as shown by a chemical analysis of the defendant's breath, blood or urine shall be admissible and competent provided: (1) The defendant was afforded a reasonable opportunity to telephone an attorney prior to the performance of the test and consented to the taking of the test upon which such analysis is made; (2) a true copy of the report of the test result was mailed to or personally delivered to the defendant within twenty-four hours or by the end of the next regular business day, after such result was known, whichever is later; (3) the test was performed by or at the direction of a police officer according to methods and with equipment approved by the Department of Public Safety and was performed in accordance with the regulations adopted under subsection [(e)] (d) of this section; (4) the device used for such test was checked for accuracy in accordance with the regulations adopted

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under subsection [(e)] (d) of this section; (5) an additional chemical test of the same type was performed at least thirty minutes after the initial test was performed or, if requested by the police officer for reasonable cause, an additional chemical test of a different type was performed to detect the presence of a drug or drugs other than or in addition to alcohol, provided the results of the initial test shall not be inadmissible under this subsection if reasonable efforts were made to have such additional test performed in accordance with the conditions set forth in this subsection and such additional test was not performed or was not performed within a reasonable time, or the results of such additional test are not admissible for failure to meet a condition set forth in this subsection; and (6) evidence is presented that the test was commenced within two hours of operation. In any prosecution under this section it shall be a rebuttable presumption that the results of such chemical analysis establish the ratio of alcohol in the blood of the defendant at the time of the alleged offense, except that if the results of the additional test indicate that the ratio of alcohol in the blood of such defendant is twelve-hundredths of one per cent or less of alcohol, by weight, and is higher than the results of the first test, evidence shall be presented that demonstrates that the test results and the analysis thereof accurately indicate the blood alcohol content at the time of the alleged offense.

[(d)] (c) In any prosecution for a violation of subdivision (1) of subsection (a) of this section, reliable evidence respecting the amount of alcohol in the defendant's blood or urine at the time of the alleged offense, as shown by a chemical analysis of the defendant's blood, breath or urine, otherwise admissible under subsection [(c)] (b) of this section, shall be admissible only at the request of the defendant.

[(e)] (d) The Commissioner of Public Safety shall ascertain the reliability of each method and type of device offered for chemical testing and analysis purposes of blood, of breath and of urine and

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certify those methods and types which said commissioner finds suitable for use in testing and analysis of blood, breath and urine, respectively, in this state. The Commissioner of Public Safety [, in consultation with the Commissioner of Public Health] shall adopt regulations, in accordance with chapter 54, governing the conduct of chemical tests, the operation and use of chemical test devices, the training and certification of operators of such devices and the drawing or obtaining of blood, breath or urine samples as said commissioner finds necessary to protect the health and safety of persons who submit to chemical tests and to insure reasonable accuracy in testing results. Such regulations shall not require recertification of a police officer solely because such officer terminates such officer's employment with the law enforcement agency for which certification was originally issued and commences employment with another such agency.

[(f)] (e) In any criminal prosecution for a violation of subsection (a) [or (b)] of this section, evidence that the defendant refused to submit to a blood, breath or urine test requested in accordance with section 14-227b, as amended by this act, shall be admissible provided the requirements of subsection (b) of said section have been satisfied. If a case involving a violation of subsection (a) of this section is tried to a jury, the court shall instruct the jury as to any inference that may or may not be drawn from the defendant's refusal to submit to a blood, breath or urine test.

[(g)] (f) If a person is charged with a violation of the provisions of subsection (a) of this section, the charge may not be reduced, nolle or dismissed unless the prosecuting authority states in open court such prosecutor's reasons for the reduction, nolle or dismissal.

[(h)] (g) Any person who violates any provision of subsection (a) of this section shall: (1) For conviction of a first violation, (A) be fined not less than five hundred dollars nor more than one thousand dollars, and (B) be (i) imprisoned not more than six months, forty-eight

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consecutive hours of which may not be suspended or reduced in any manner, or (ii) imprisoned not more than six months, with the execution of such sentence of imprisonment suspended entirely and a period of probation imposed requiring as a condition of such probation that such person perform one hundred hours of community service, as defined in section 14-227e, as amended by this act, and (C) have such person's motor vehicle operator's license or nonresident operating privilege suspended for one year; (2) for conviction of a second violation within ten years after a prior conviction for the same offense, (A) be fined not less than one thousand dollars nor more than four thousand dollars, (B) be imprisoned not more than two years, one hundred twenty consecutive days of which may not be suspended or reduced in any manner, and sentenced to a period of probation requiring as a condition of such probation that such person perform one hundred hours of community service, as defined in section 14-227e, as amended by this act, and (C) have such person's motor vehicle operator's license or nonresident operating privilege suspended for three years or until the date of such person's twenty-first birthday, whichever is longer; and (3) for conviction of a third and subsequent violation within ten years after a prior conviction for the same offense, (A) be fined not less than two thousand dollars nor more than eight thousand dollars, (B) be imprisoned not more than three years, one year of which may not be suspended or reduced in any manner, and sentenced to a period of probation requiring as a condition of such probation that such person perform one hundred hours of community service, as defined in section 14-227e, as amended by this act, and (C) have such person's motor vehicle operator's license or nonresident operating privilege permanently revoked upon such third offense. For purposes of the imposition of penalties for a second or third and subsequent offense pursuant to this subsection, a conviction under the provisions of subsection (a) of this section [14-227a] in effect on October 1, 1981, or as amended thereafter, a conviction under the provisions of either subdivision (1) or (2) of subsection (a) of this

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section, a conviction under the provisions of section 53a-56b or 53a-60d or a conviction in any other state of any offense the essential elements of which are determined by the court to be substantially the same as subdivision (1) or (2) of subsection (a) of this section or section 53a-56b or 53a-60d, shall constitute a prior conviction for the same offense.

[(i) Any person who violates subsection (b) of this section shall be fined not more than two hundred dollars.]

[(j)] (h) (1) Each court shall report each conviction under subsection (a) of this section to the Commissioner of Motor Vehicles, in accordance with the provisions of section 14-141. The commissioner shall suspend the motor vehicle operator's license or nonresident operating privilege of the person reported as convicted for the period of time required by subsection [(h)] (g) of this section. (2) The motor vehicle operator's license or nonresident operating privilege of a person found guilty under subsection (a) of this section who is under eighteen years of age shall be suspended by the commissioner for the period of time set forth in subsection [(h)] (g) of this section, or until such person attains the age of eighteen years, whichever period is longer. (3) The motor vehicle operator's license or nonresident operating privilege of a person found guilty under subsection (a) of this section who, at the time of the offense, was operating a motor vehicle in accordance with a special operator's permit issued pursuant to section 14-37a shall be suspended by the commissioner for twice the period of time set forth in subsection [(h)] (g) of this section. (4) Whenever the motor vehicle operator's license of a person is suspended under subsection [(h)] (g) of this section for conviction of a violation of subsection (a) of this section, the operator's license that is returned or reissued to such person by the Commissioner of Motor Vehicles upon completion of the period of suspension shall indicate on its reverse side that such person is an at-risk operator. For purposes of this subdivision, an "at-risk operator" is a person who has been

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convicted of a violation of subsection (a) of this section. (5) If an appeal of any conviction under subsection (a) of this section is taken, the suspension of the motor vehicle operator's license or nonresident operating privilege by the commissioner, in accordance with this subsection, shall be stayed during the pendency of such appeal.

[(k)] (i) In addition to any fine or sentence imposed pursuant to the provisions of subsection [(h)] (g) of this section, the court may order such person to participate in an alcohol education and treatment program.

[(l)] (j) Notwithstanding the provisions of subsection [(c)] (b) of this section, evidence respecting the amount of alcohol or drug in the blood or urine of an operator of a motor vehicle involved in an accident who has suffered or allegedly suffered physical injury in such accident, which evidence is derived from a chemical analysis of a blood sample taken from or a urine sample provided by such person after such accident at the scene of the accident, while en route to a hospital or at a hospital, shall be competent evidence to establish probable cause for the arrest by warrant of such person for a violation of subsection (a) of this section and shall be admissible and competent in any subsequent prosecution thereof if: (1) The blood sample was taken or the urine sample was provided for the diagnosis and treatment of such injury; (2) if a blood sample was taken, the blood sample was taken in accordance with the regulations adopted under subsection [(e)] (d) of this section; (3) a police officer has demonstrated to the satisfaction of a judge of the Superior Court that such officer has reason to believe that such person was operating a motor vehicle while under the influence of intoxicating liquor or drug or both and that the chemical analysis of such blood or urine sample constitutes evidence of the commission of the offense of operating a motor vehicle while under the influence of intoxicating liquor or drug or both in violation of subsection (a) of this section; and (4) such judge has issued a search warrant in accordance

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with section 54-33a, as amended, authorizing the seizure of the chemical analysis of such blood or urine sample. Such search warrant may also authorize the seizure of the medical records prepared by the hospital in connection with the diagnosis or treatment of such injury.

[(m)] (k) If the court sentences a person convicted of a violation of subsection (a) of this section to a period of probation, the court may require as a condition of such probation that such person participate in a victim impact panel program approved by the Court Support Services Division of the Judicial Department. Such victim impact panel program shall provide a nonconfrontational forum for the victims of alcohol-related or drug-related offenses and offenders to share experiences on the impact of alcohol-related or drug-related incidents in their lives. Such victim impact panel program shall be conducted by a nonprofit organization that advocates on behalf of victims of accidents caused by persons who operated a motor vehicle while under the influence of intoxicating liquor or any drug, or both. Such organization may assess a participation fee of not more than twenty-five dollars on any person required by the court to participate in such program.

Sec. 109. Section 14-227b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) Any person who operates a motor vehicle in this state shall be deemed to have given such person's consent to a chemical analysis of such person's blood, breath or urine and, if such person is a minor, such person's parent or parents or guardian shall also be deemed to have given their consent.

(b) If any such person, having been placed under arrest for operating a motor vehicle while under the influence of intoxicating liquor or any drug or both, [or while such person's ability to operate such motor vehicle is impaired by the consumption of intoxicating

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liquor,] and thereafter, after being apprised of such person's constitutional rights, having been requested to submit to a blood, breath or urine test at the option of the police officer, having been afforded a reasonable opportunity to telephone an attorney prior to the performance of such test and having been informed that such person's license or nonresident operating privilege may be suspended in accordance with the provisions of this section if such person refuses to submit to such test or if such person submits to such test and the results of such test indicate that such person has an elevated blood alcohol content, and that evidence of any such refusal shall be admissible in accordance with subsection [(f)] (e) of section 14-227a, as amended by this act, and may be used against such person in any criminal prosecution, refuses to submit to the designated test, the test shall not be given; provided, if the person refuses or is unable to submit to a blood test, the police officer shall designate the breath or urine test as the test to be taken. The police officer shall make a notation upon the records of the police department that such officer informed the person that such person's license or nonresident operating privilege may be suspended if such person refused to submit to such test or if such person submitted to such test and the results of such test indicated that such person had an elevated blood alcohol content.

(c) If the person arrested refuses to submit to such test or analysis or submits to such test or analysis, commenced within two hours of the time of operation, and the results of such test or analysis indicate that such person has an elevated blood alcohol content, the police officer, acting on behalf of the Commissioner of Motor Vehicles, shall immediately revoke and take possession of the motor vehicle operator's license or, if such person is a nonresident, suspend the nonresident operating privilege of such person, for a twenty-four-hour period and shall issue a temporary operator's license or nonresident operating privilege to such person valid for the period commencing

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twenty-four hours after issuance and ending thirty days after the date such person received notice of such person's arrest by the police officer. The police officer shall prepare a written report of the incident and shall mail the report together with a copy of the completed temporary license form, any operator's license taken into possession and a copy of the results of any chemical test or analysis to the Department of Motor Vehicles within three business days. The report shall be made on a form approved by the Commissioner of Motor Vehicles and shall be subscribed and sworn to under penalty of false statement as provided in section 53a-157b by the arresting officer. If the person arrested refused to submit to such test or analysis, the report shall be endorsed by a third person who witnessed such refusal. The report shall set forth the grounds for the officer's belief that there was probable cause to arrest such person for operating a motor vehicle while under the influence of intoxicating liquor or any drug or both [or while such person's ability to operate such motor vehicle is impaired by the consumption of intoxicating liquor,] and shall state that such person had refused to submit to such test or analysis when requested by such police officer to do so or that such person submitted to such test or analysis, commenced within two hours of the time of operation, and the results of such test or analysis indicated that such person had an elevated blood alcohol content.

(d) If the person arrested submits to a blood or urine test at the request of the police officer, and the specimen requires laboratory analysis in order to obtain the test results, the police officer shall not take possession of the motor vehicle operator's license of such person or, except as provided in this subsection, follow the procedures subsequent to taking possession of the operator's license as set forth in subsection (c) of this section. If the test results indicate that such person has an elevated blood alcohol content, the police officer, immediately upon receipt of the test results, shall notify the Commissioner of Motor Vehicles and submit to the commissioner the

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written report required pursuant to subsection (c) of this section.

(e) Upon receipt of such report, the Commissioner of Motor Vehicles may suspend any license or nonresident operating privilege of such person effective as of a date certain, which date shall be not later than thirty days after the date such person received notice of such person's arrest by the police officer. Any person whose license or operating privilege has been suspended in accordance with this subsection shall automatically be entitled to a hearing before the commissioner to be held prior to the effective date of the suspension. The commissioner shall send a suspension notice to such person informing such person that such person's operator's license or nonresident operating privilege is suspended as of a date certain and that such person is entitled to a hearing prior to the effective date of the suspension and may schedule such hearing by contacting the Department of Motor Vehicles not later than seven days after the date of mailing of such suspension notice.

(f) If such person does not contact the department to schedule a hearing, the commissioner shall affirm the suspension contained in the suspension notice for the appropriate period specified in subsection (i) of this section.

(g) If such person contacts the department to schedule a hearing, the department shall assign a date, time and place for the hearing, which date shall be prior to the effective date of the suspension. At the request of such person or the hearing officer and upon a showing of good cause, the commissioner may grant one continuance for a period not to exceed fifteen days. If a continuance is granted, the commissioner shall extend the validity of the temporary operator's license or nonresident operating privilege issued pursuant to subsection (c) of this section for a period not to exceed the period of such continuance. The hearing shall be limited to a determination of the following issues: (1) Did the police officer have probable cause to arrest the person for operating a motor vehicle while under the

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influence of intoxicating liquor or drug or both; [or while such person's ability to operate such motor vehicle was impaired by the consumption of intoxicating liquor;] (2) was such person placed under arrest; (3) did such person refuse to submit to such test or analysis or did such person submit to such test or analysis, commenced within two hours of the time of operation, and the results of such test or analysis indicated that such person had an elevated blood alcohol content; and (4) was such person operating the motor vehicle. In the hearing, the results of the test or analysis shall be sufficient to indicate the ratio of alcohol in the blood of such person at the time of operation, except that if the results of the additional test indicate that the ratio of alcohol in the blood of such person is twelve-hundredths of one per cent or less of alcohol, by weight, and is higher than the results of the first test, evidence shall be presented that demonstrates that the test results and analysis thereof accurately indicate the blood alcohol content at the time of operation. The fees of any witness summoned to appear at the hearing shall be the same as provided by the general statutes for witnesses in criminal cases.

(h) If, after such hearing, the commissioner finds on any one of the said issues in the negative, the commissioner shall reinstate such license or operating privilege. If, after such hearing, the commissioner does not find on any one of the said issues in the negative or if such person fails to appear at such hearing, the commissioner shall affirm the suspension contained in the suspension notice for the appropriate period specified in subsection (i) of this section. The commissioner shall render a decision at the conclusion of such hearing or send a notice of the decision by bulk certified mail to such person not later than thirty days or, if a continuance is granted, not later than forty-five days from the date such person received notice of such person's arrest by the police officer. The notice of such decision sent by certified mail to the address of such person as shown by the records of the commissioner shall be sufficient notice to such person that such

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person's operator's license or nonresident operating privilege is reinstated or suspended, as the case may be. Unless a continuance of the hearing is granted pursuant to subsection (g) of this section, if the commissioner fails to render a decision within thirty days from the date such person received notice of such person's arrest by the police officer, the commissioner shall reinstate such person's operator's license or nonresident operating privilege, provided notwithstanding such reinstatement the commissioner may render a decision not later than two days thereafter suspending such operator's license or nonresident operating privilege.

(i) The commissioner shall suspend the operator's license or nonresident operating privilege, and revoke the temporary operator's license or nonresident operating privilege issued pursuant to subsection (c) of this section, of a person who did not contact the department to schedule a hearing, who failed to appear at a hearing or against whom, after a hearing, the commissioner held pursuant to subsection (h) of this section, as of the effective date contained in the suspension notice or the date the commissioner renders a decision, whichever is later, for a period of: (1) (A) Except as provided in subparagraph (B) of this subdivision, ninety days, if such person submitted to a test or analysis and the results of such test or analysis indicated that such person had an elevated blood alcohol content, (B) one hundred twenty days, if such person submitted to a test or analysis and the results of such test or analysis indicated that the ratio of alcohol in the blood of such person was sixteen-hundredths of one per cent or more of alcohol, by weight, or (C) six months if such person refused to submit to such test or analysis, (2) if such person has previously had such person's operator's license or nonresident operating privilege suspended under this section, (A) except as provided in subparagraph (B) of this subdivision, nine months if such person submitted to a test or analysis and the results of such test or analysis indicated that such person had an elevated blood alcohol

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content, (B) ten months if such person submitted to a test or analysis and the results of such test or analysis indicated that the ratio of alcohol in the blood of such person was sixteen-hundredths of one per cent or more of alcohol, by weight, and (C) one year if such person refused to submit to such test or analysis, and (3) if such person has two or more times previously had such person's operator's license or nonresident operating privilege suspended under this section, (A) except as provided in subparagraph (B) of this subdivision, two years if such person submitted to a test or analysis and the results of such test or analysis indicated that such person had an elevated blood alcohol content, (B) two and one-half years if such person submitted to a test or analysis and the results of such test or analysis indicated that the ratio of alcohol in the blood of such person was sixteen-hundredths of one per cent or more of alcohol, by weight, and (C) three years if such person refused to submit to such test or analysis.

(j) Notwithstanding the provisions of subsections (b) to (i), inclusive, of this section, any police officer who obtains the results of a chemical analysis of a blood sample taken from an operator of a motor vehicle involved in an accident who suffered or allegedly suffered physical injury in such accident shall notify the Commissioner of Motor Vehicles and submit to the commissioner a written report if such results indicate that such person had an elevated blood alcohol content, and if such person was arrested for violation of section 14-227a, as amended by this act, in connection with such accident. The report shall be made on a form approved by the commissioner containing such information as the commissioner prescribes, and shall be subscribed and sworn to under penalty of false statement, as provided in section 53a-157b, by the police officer. The commissioner may, after notice and an opportunity for hearing, which shall be conducted in accordance with chapter 54, suspend the motor vehicle operator's license or nonresident operating privilege of such person for a period of up to ninety days, or, if such person has previously had

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such person's operator's license or nonresident operating privilege suspended under this section for a period of up to one year. Each hearing conducted under this subsection shall be limited to a determination of the following issues: (1) Whether the police officer had probable cause to arrest the person for operating a motor vehicle while under the influence of intoxicating liquor or drug or both; [or while the person's ability to operate the motor vehicle was impaired by the consumption of intoxicating liquor;] (2) whether such person was placed under arrest; (3) whether such person was operating the motor vehicle; (4) whether the results of the analysis of the blood of such person indicate that such person had an elevated blood alcohol content; and (5) whether the blood sample was obtained in accordance with conditions for admissibility and competence as evidence as set forth in subsection [(l)] (j) of section 14-227a, as amended by this act. If, after such hearing, the commissioner finds on any one of the said issues in the negative, the commissioner shall not impose a suspension. The fees of any witness summoned to appear at the hearing shall be the same as provided by the general statutes for witnesses in criminal cases, as provided in section 52-260, as amended.

(k) The provisions of this section shall apply with the same effect to the refusal by any person to submit to an additional chemical test as provided in subdivision (5) of subsection [(c)] (b) of section 14-227a, as amended by this act.

(l) The provisions of this section shall not apply to any person whose physical condition is such that, according to competent medical advice, such test would be inadvisable.

(m) The state shall pay the reasonable charges of any physician who, at the request of a municipal police department, takes a blood sample for purposes of a test under the provisions of this section.

(n) For the purposes of this section, "elevated blood alcohol content"

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means (1) a ratio of alcohol in the blood of such person that is [ten-hundredths] eight-hundredths of one per cent or more of alcohol, by weight, [(2) if such person has been convicted of a violation of subsection (a) of section 14-227a, a ratio of alcohol in the blood of such person that is seven-hundredths of one per cent or more of alcohol, by weight, or (3)] or (2) if such person is under twenty-one years of age, a ratio of alcohol in the blood of such person that is two-hundredths of one per cent or more of alcohol, by weight.

(o) The Commissioner of Motor Vehicles shall adopt regulations in accordance with chapter 54 to implement the provisions of this section.

Sec. 110. Section 14-227c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

As part of the investigation of any motor vehicle accident resulting in a fatality, the Chief Medical Examiner, Deputy Chief Medical Examiner, an associate medical examiner, a pathologist as specified in section 19a-405, or an authorized assistant medical examiner, as the case may be, shall order that a blood sample be taken from the body of any operator or pedestrian who dies as a result of such accident. Such blood samples shall be examined for the presence and concentration of alcohol by the Division of Scientific Services within the Department of Public Safety or by the Office of the Chief Medical Examiner. To the extent provided by law, a blood or breath sample may also be obtained from any surviving operator whose motor vehicle is involved in such an accident. The test shall be performed by or at the direction of a police officer according to methods and with equipment approved by the Department of Public Safety and shall be performed by a person certified or recertified for such purpose by said department or recertified by persons certified as instructors by the Commissioner of Public Safety. The equipment used for such test shall be checked for accuracy by a person certified by the Department of Public Safety immediately before and after such test is performed. If a blood test is

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performed, it shall be on a blood sample taken by a person licensed to practice medicine and surgery in this state, a qualified laboratory technician, an emergency medical technician II, a registered nurse or a phlebotomist, [, as defined in subsection (m) of section 14-227a.] The blood samples obtained from the surviving operator shall be examined for the presence and concentration of alcohol by the Division of Scientific Services within the Department of Public Safety. Nothing in this section or section 19a-406 shall be construed as requiring such medical examiner to perform an autopsy in connection with obtaining such blood samples.

Sec. 111. Section 14-227e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

As used in this section and subsection [(h)] (g) of section 14-227a, as amended by this act:

(a) (1) "Community service" means the placement of defendants in unpaid positions with nonprofit or tax-supported agencies for the performance of a specified number of hours of work or service within a given period of time.

(2) "Community service plan" means an agreement between the court and the defendant which specifies (A) the number of required community service hours, (B) the type of agency for placement, (C) the period of time in which the community service will be completed, (D) the tentative schedule, (E) a brief description of the responsibilities, (F) conditions and sanctions for failure to fulfill the plan, and (G) the supervisor of the plan.

(b) In sentencing a defendant to perform community service, the court shall fix the conditions and terms of such sentence and shall review the community service plan and, upon approval, sentence such defendant in accordance with such plan. No sentence of community

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service shall be imposed without the consent of the defendant.

(c) Any organization administering sentences of community service shall prepare and file with the court a copy of all community service plans and shall notify the court when a defendant has successfully completed such plan.

(d) Any organization administering sentences of community service shall prepare a written statement outlining noncompliance by a defendant and shall without unnecessary delay notify the state's attorney for that judicial district requesting that a hearing be held to determine whether the sentence of community service should be revoked.

(e) The court may at any time, for good cause shown, terminate the sentence of community service or modify or enlarge the terms or conditions or require the defendant to serve the original incarcerative sentence for violation of any of the conditions of the sentence of community service.

Sec. 112. Subsection (a) of section 14-227f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) Any person whose motor vehicle operator's license or nonresident operating privilege is suspended under subsection [(h)] (g) of section 14-227a, as amended by this act, for a conviction of a second or subsequent violation of subsection (a) of said section or under section 14-227b, as amended by this act, for a second or subsequent time shall participate in a treatment program approved by the Commissioner of Motor Vehicles. The commissioner shall not reinstate the operator's license or nonresident operating privilege of any such person until such person submits evidence to the commissioner that he has satisfactorily completed the treatment

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program.

Sec. 113. Subsection (c) of section 14-227g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(c) The provisions of subsections [(c), (e), (g), (h), (j), (k) and (l)] (b), (d), (f), (g), (h), (i) and (j) of section 14-227a, as amended by this act, adapted accordingly, shall be applicable to a violation of subsection (a) of this section.

Sec. 114. Subsection (h) of section 14-111 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(h) When any person who does not hold a Connecticut operator's license is convicted or has his case nulled or is given a suspended judgment or sentence for a violation of any provision of section 14-36, 14-110, 14-145, subsection (b) of section 14-147, 14-215, 14-224, subsection (a) of section 14-227a, as amended by this act, or 14-229, the commissioner shall not issue to him a nonresident or resident operator's license during such period as the commissioner may determine, which period shall not be less than the period provided for suspension in subsection (b) of this section or in subsection [(h)] (g) of section 14-227a, as amended by this act. When any person is convicted or has his case nulled or is given a suspended judgment or sentence for any violation of any of the provisions of section 14-12, the commissioner shall not issue registration for any motor vehicle owned by such person until thirty days after application therefor.

Sec. 115. Subsection (a) of section 14-111g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) For the purposes of this subsection, "moving violation" means

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any violation of section 14-218a, 14-219, 14-222, 14-223, [subsection (b) of section 14-227a,] 14-230 to 14-249, inclusive, 14-279, 14-289b, 14-299, 14-301, 14-302, 14-303, and "suspension violation" means a violation of section 14-222a, 14-224, subsection (a) of section 14-227a, as amended by this act, section 53a-56b, 53a-57 or 53a-60d. The Commissioner of Motor Vehicles may require any licensed motor vehicle operator who is twenty-four years of age or less, who has been convicted of a moving violation or a suspension violation, or both, committed on two or more occasions to attend a motor vehicle operator's retraining program. The commissioner may require any licensed motor vehicle operator over twenty-four years of age, who has been convicted of a moving violation or a suspension violation or a combination of said violations, committed on three or more occasions to attend a motor vehicle operator's retraining program. The retraining program shall (1) review principles of motor vehicle operation, (2) develop alternative attitudes for those attitudes contributing to aggressive driving behavior and (3) emphasize the need to practice safe driving behavior. The retraining program shall be offered by the Department of Motor Vehicles or by any other organization conducting such a program certified by the commissioner. The commissioner shall notify such operator, in writing, of such requirement. A fee of not more than sixty dollars shall be charged for the retraining program. The commissioner, after notice and opportunity for hearing, may suspend the motor vehicle operator's license of any such operator who fails to attend or successfully complete the program until the operator successfully completes the program. The hearing shall be limited to any claim of impossibility of the operator to attend the retraining program, or to a determination of mistake or misidentification.

Sec. 116. Subsection (b) of section 51-164n of the general statutes, as amended by section 5 of public act 01-186, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

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(b) Notwithstanding any provision of the general statutes to the contrary, any person who is alleged to have committed (1) a violation under the provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-18, 7-35, 7-41, 7-83, 7-104, 7-283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-326g, subsection (4) of section 12-408, subsection (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247, 13a-253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-224, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b, 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section 14-12, section 14-20a, 14-27a, subsection (e) of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49, 14-50a, 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b, 14-67a, subsection (f) of section 14-80h, section 14-97a, section 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153, 14-163b, a first violation as specified in subsection (f) of section 14-164i, section 14-219 specified in subsection (e) of said section, [subsection (b) of section 14-227a,] section 14-240, 14-249, 14-250, subsection (a), (b) or (c) of section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278, 14-279, subsection (e) of section 14-283, section 14-291, 14-293b, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330, 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256, 16-256e, 16a-15, 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137, 17b-407, 17b-451, 17b-734, subsection (b) of section 17b-736, 19a-30, 19a-33, 19a-39, 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-108, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265, 20-324e, subsection (a) of section 20-341, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25,

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21a-26, 21a-30, 21a-31, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63, 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159, 21a-201, 21a-211, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-37, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-123, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326, 22-342, subsection (b) or (e) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a, 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-256h, section 22a-449, 22a-461, 23-37, 23-38, 23-46, 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-221, 26-222, 26-224a, 26-227, 26-230, 26-234, 26-267, 26-269, 26-294, 28-13, 29-6a, 29-109, 29-161a, 29-161b, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-341, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a, 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b, 31-134, subsection (g) of section 31-273, section 31-288, 36a-787, 42-230, 44-3, 45a-450, 45a-634, 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, subsection (a) or (b) of section 53-211, section 53-212a, 53-249a, 53-252, 53-264, 53-301, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-450, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, shall follow the procedures set forth in this section.

Sec. 117. Section 54-56g of the general statutes, as amended by sections 2 and 3 of public act 01-201 and section 9 of public act 01-8 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

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(a) There shall be a pretrial alcohol education system for persons charged with a violation of section 14-227a, as amended by this act, or 14-227g. Upon application by any such person for participation in such system and payment to the court of an application fee of fifty dollars and a nonrefundable evaluation fee of one hundred dollars, the court shall, but only as to the public, order the court file sealed, provided such person states under oath, in open court or before any person designated by the clerk and duly authorized to administer oaths, under penalties of perjury that: (1) If such person is charged with a violation of section 14-227a, as amended by this act, such person has [never] not had such system invoked in such person's behalf [and that] within the preceding ten years for a violation of section 14-227a, as amended by this act, (2) if such person is charged with a violation of section 14-227g, such person has never had such system invoked in such person's behalf for a violation of section 14-227a, as amended by this act, or 14-227g, (3) such person has not been convicted of a violation of section 53a-56b or 53a-60d, a violation of subsection (a) of section 14-227a, as amended by this act, before or after October 1, 1981, or a violation of subdivision (1) or (2) of subsection (a) of section 14-227a, as amended by this act, on or after October 1, 1985, and [that] (4) such person has not been convicted in any other state at any time of an offense the essential elements of which are substantially the same as section 53a-56b or 53a-60d or subdivision (1) or (2) of subsection (a) of section 14-227a, as amended by this act. Unless good cause is shown, a person shall be ineligible for participation in such pretrial alcohol education system if such person's alleged violation of section 14-227a, as amended by this act, or 14-227g caused the serious physical injury, as defined in section 53a-3, as amended, of another person. The fee imposed by this subsection shall be credited to the Criminal Injuries Compensation Fund established by section 54-215.

(b) The court, after consideration of the recommendation of the state's attorney, assistant state's attorney or deputy assistant state's

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attorney in charge of the case, may, in its discretion, grant such application. If the court grants such application, it shall refer such person to the Bail Commission for assessment and confirmation of the eligibility of the applicant and to the Department of Mental Health and Addiction Services for evaluation. The Bail Commission, in making its assessment and confirmation, may rely on the representations made by the applicant under oath in open court with respect to convictions in other states of offenses specified in subsection (a) of this section. Upon confirmation of eligibility and receipt of the evaluation report, the defendant shall be referred to the Department of Mental Health and Addiction Services by the Bail Commission for [evaluation and] placement in an appropriate alcohol intervention program for one year. Any person who enters the system shall agree: (1) To the tolling of the statute of limitations with respect to such crime, (2) to a waiver of such person's right to a speedy trial, (3) to [participate in at least] complete ten or fifteen counseling sessions in an alcohol intervention program pursuant to this section [or, if such person was charged with a violation of subdivision (2) of subsection (a) of section 14-227a, where the ratio of alcohol in the blood of such person was sixteen-hundredths of one per cent or more of alcohol, by weight, to participate in at least fifteen counseling sessions in an alcohol program pursuant to this section, and complete the assigned program] dependent upon the evaluation report and the court order, (4) to accept placement in a treatment program upon recommendation of a provider under contract with the Department of Mental Health and Addiction Services pursuant to subsection (d) of this section or placement in a treatment program which has standards substantially similar to, or higher than, a program of a provider under contract with the Department of Mental Health and Addiction Services if the Bail Commission deems it appropriate, and (5) if ordered by the court, to participate in at least one victim impact panel. The suspension of the motor vehicle operator's license of any such person pursuant to section 14-227b, as amended by this act, shall be effective during the period such person is

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participating in such program, provided such person shall have the option of not commencing the participation in such program until the period of such suspension is completed. If the Bail Commission informs the court that the defendant is ineligible for the system and the court makes a determination of ineligibility or if the program provider certifies to the court that the defendant did not successfully complete the assigned program or is no longer amenable to treatment, the court shall order the court file to be unsealed, enter a plea of not guilty for such defendant and immediately place the case on the trial list. If such defendant satisfactorily completes the assigned program, such defendant may apply for dismissal of the charges against such defendant and the court, on reviewing the record of the defendant's participation in such program submitted by the Bail Commission and on finding such satisfactory completion, shall dismiss the charges. If the defendant does not apply for dismissal of the charges against such defendant after satisfactorily completing the assigned program the court, upon receipt of the record of the defendant's participation in such program submitted by the Bail Commission, may on its own motion make a finding of such satisfactory completion and dismiss the charges. Upon motion of the defendant and a showing of good cause, the court may extend the one-year placement period for a reasonable period for the defendant to complete the assigned program. A record of participation in such program shall be retained by the Bail Commission for a period of seven years from the date of application. The Bail Commission shall transmit to the Department of Motor Vehicles a record of participation in such program for each person who satisfactorily completes such program. The Department of Motor Vehicles shall maintain for a period of seven years the record of a person's participation in such program as part of such person's driving record.

(c) At the time the court grants the application for participation in the pretrial alcohol education system, such person shall also pay to the

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court a nonrefundable program fee of [four] three hundred twenty-five dollars [or, if such person was charged with a violation of subdivision (2) of subsection (a) of section 14-227a, where the ratio of alcohol in the blood of such person was sixteen-hundredths of one per cent or more of alcohol, by weight, a nonrefundable program fee of six hundred dollars] if such person is ordered to participate in the ten-session program and a nonrefundable program fee of five hundred dollars if such person is ordered to participate in the fifteen-session program, except that no person may be excluded from such program for inability to pay such fee, provided (1) such person files with the court an affidavit of indigency or inability to pay, (2) such indigency is confirmed by the Bail Commission, and (3) the court enters a finding thereof. If the court denies the application, such person shall not be required to pay the program fee. If the court grants the application, and such person is later determined to be ineligible for participation in such pretrial alcohol education system or fails to complete the assigned program, the program fee shall not be refunded. All such evaluation and program fees shall be credited to the pretrial account.

(d) The Department of Mental Health and Addiction Services shall contract with service providers, develop standards and oversee appropriate alcohol programs to meet the requirements of this section. Said department shall adopt regulations in accordance with chapter 54 to establish standards for such alcohol programs. Any defendant whose employment or residence makes it unreasonable to attend an alcohol program in this state may attend a program in another state which has standards substantially similar to, or higher than, those of this state, subject to the approval of the court and payment of the application, evaluation and program fees as provided in this section.

(e) The court may, as a condition of granting such application, require that such person participate in a victim impact panel program approved by the Court Support Services Division of the Judicial

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Department. Such victim impact panel program shall provide a nonconfrontational forum for the victims of alcohol-related or drug-related offenses and offenders to share experiences on the impact of alcohol-related or drug-related incidents in their lives. Such victim impact panel program shall be conducted by a nonprofit organization that advocates on behalf of victims of accidents caused by persons who operated a motor vehicle while under the influence of intoxicating liquor or any drug, or both. Such organization may assess a participation fee of not more than twenty-five dollars on any person required by the court to participate in such program.

Sec. 118. (NEW) (*Effective July 1, 2002*) The Commissioner of Social Services may establish maximum allowable costs to be paid under the Medicaid, state-administered general assistance, general assistance, ConnPACE and Connecticut AIDS drug assistance programs for generic prescription drugs based on, but not limited to, actual acquisition costs.

Sec. 119. Section 17b-363a of the general statutes is amended by adding subsection (f) as follows (*Effective July 1, 2002*):

(NEW) (f) Any long-term care facility that violates or fails to comply with the provisions of this section shall be fined thirty thousand dollars for each incidence of noncompliance. The commissioner may offset payments due a facility to collect the penalty. Prior to imposing any penalty pursuant to this subsection, the commissioner shall notify the long-term care facility of the alleged violation and the accompanying penalty and shall permit such facility to request that the department review its findings. A facility shall request such review within fifteen days of receipt of the notice of violation from the department. The department shall stay the imposition of any penalty pending the outcome of the review. The commissioner may impose a penalty upon a facility pursuant to this subsection regardless of whether a change in ownership of the facility has taken place since the

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time of the violation, provided the department issued notice of the alleged violation and the accompanying penalty prior to the effective date of the change in ownership and record of such notice is readily available in a central registry maintained by the department. Payments of fines received pursuant to this subsection shall be deposited in the General Fund and credited to the Medicaid account.

Sec. 120. (NEW) (*Effective July 1, 2002*) The Commissioner of Social Services may establish a voluntary mail order option for any maintenance prescription drug covered under the Medicaid, state-administered general assistance, general assistance, ConnPACE or Connecticut AIDS drug assistance programs.

Sec. 121. (NEW) (*Effective July 1, 2002*) (a) Pursuant to 42 USC 1396r-8, there is established a Medicaid Pharmaceutical and Therapeutics Committee within the Department of Social Services.

(b) The Medicaid Pharmaceutical and Therapeutics Committee shall be comprised as specified in 42 USC 1396r-8 and shall consist of eleven members appointed by the Governor. Five members shall be physicians licensed pursuant to chapter 370 of the general statutes, five members shall be pharmacists licensed pursuant to chapter 400j of the general statutes, and one member shall be a consumer representative. The members shall serve for terms of two years from the date of their appointment. Members may be appointed to more than one term. The administrative staff of the Department of Social Services shall serve as staff for said committee and assist with all ministerial duties. The Governor shall ensure that the committee membership includes Medicaid participating physicians and pharmacists, with experience serving all segments of the Medicaid population. Not less than one of the committee members shall be a representative of the pharmaceutical manufacturers.

(c) Committee members shall select a chairperson and vice-

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chairperson from the committee membership on an annual basis.

(d) The committee shall meet at least quarterly, and may meet at other times at the discretion of the chairperson and committee membership. The committee shall comply with all regulations adopted by the department, including notice of any meeting of the committee, pursuant to the requirements of chapter 54 of the general statutes.

(e) Upon recommendation of the Medicaid Pharmaceutical and Therapeutics Committee, the Department of Social Services shall adopt a preferred drug list. To the extent feasible, the committee shall review all drugs included in the preferred drug list at least every twelve months, and may recommend additions to, and deletions from, the preferred drug list, to ensure that the preferred drug list provides for medically appropriate drug therapies for Medicaid patients.

(f) Except for mental health related drugs and antiretroviral drugs, reimbursement for a drug not included in the preferred drug list is subject to prior authorization.

(g) The Department of Social Services shall publish and disseminate the preferred drug list to all Medicaid providers in the state.

(h) The committee shall ensure that the pharmaceutical manufacturers agreeing to provide a supplemental rebate pursuant to 42 USC 1396r-8(c) have an opportunity to present evidence supporting inclusion of a product on the preferred drug list. Upon timely notice, the department shall ensure that any drug that has been approved or had any of its particular uses approved by the United States Food and Drug Administration under a priority review classification, will be reviewed by the Medicaid Pharmaceutical and Therapeutics Committee at the next regularly scheduled meeting. To the extent feasible, upon notice by a pharmaceutical manufacturer, the department shall also schedule a product review for any new product

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at the next regularly scheduled meeting of the Medicaid Pharmaceutical and Therapeutics Committee.

(i) Factors considered by the Medicaid Pharmaceutical and Therapeutics Committee in developing the preferred drug list shall include, but not be limited to, clinical efficacy, safety and cost effectiveness of a product.

(j) The Medicaid Pharmaceutical and Therapeutics Committee may also make recommendations to the department regarding the prior authorization of any prescribed drug covered by Medicaid.

(k) Medicaid recipients may appeal any department preferred drug list determinations utilizing the Medicaid fair hearing process administered by the Department of Social Services established pursuant to chapter 54 of the general statutes.

Sec. 122. Section 17b-280 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

Notwithstanding any provision of the regulations of Connecticut state agencies concerning payment for drugs provided to Medicaid recipients (1) effective July 1, 1989, the state shall reimburse for all legend drugs provided [to such recipients at] under the Medicaid, state-administered general assistance, general assistance, ConnPACE and Connecticut AIDS drug assistance programs at the rate established by the Health Care Finance Administration as the federal acquisition cost, or, if no such rate is established, the commissioner shall establish and periodically revise the estimated acquisition cost in accordance with federal regulations. [The] Effective September 1, 2002, the commissioner shall also establish a professional fee of three dollars and eighty-five cents for each prescription to be paid to licensed pharmacies for dispensing drugs to Medicaid, state-administered general assistance, general assistance, ConnPACE and Connecticut

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AIDS drug assistance recipients in accordance with federal regulations; and (2) on and after September 4, 1991, payment for legend and nonlegend drugs provided to Medicaid recipients shall be based upon the actual package size dispensed. Effective October 1, 1991, reimbursement for over-the-counter drugs for such recipients shall be limited to those over-the-counter drugs and products published in the Connecticut Formulary, or the cross reference list, issued by the commissioner. The cost of all over-the-counter drugs and products provided to residents of nursing facilities, chronic disease hospitals, and intermediate care facilities for the mentally retarded shall be included in the facilities' per diem rate.

Sec. 123. (NEW) (*Effective July 1, 2002*) The Commissioner of Social Services may implement a pharmaceutical purchasing initiative by contracting with an established entity for the purchase of drugs through the lowest pricing available notwithstanding the provisions of section 17b-280 of the general statutes, as amended by this act, for Medicaid, state-administered general assistance, general assistance, ConnPACE and Connecticut AIDS drug assistance recipients. Any entity with whom the commissioner contracts for the purposes of this section shall have an established pharmaceutical network and a demonstrated capability of processing the prescription volume anticipated for Medicaid, state-administered general assistance, general assistance, ConnPACE and Connecticut AIDS drug assistance recipients.

Sec. 124. (*Effective from passage*) Notwithstanding the provisions of section 85 of special act 01-1 of the June special session, for the fiscal year ending June 30, 2003, the amount of \$121,220,000 shall be transferred from the General Fund to the Mashantucket Pequot and Mohegan Fund.

Sec. 125. (*Effective from passage*) Notwithstanding the provisions of section 86 of special act 01-1 of the June special session, for the fiscal

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year ending June 30, 2003, the amount estimated for Total Special Transportation Fund Revenue shall be \$904,000,000.

Sec. 126. Subsection (c) of section 20-417i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(c) [Payments] (1) For fiscal years commencing prior to July 1, 2002, payments received under subsection (b) of this section shall be credited to the fund until the balance in such fund equals seven hundred fifty thousand dollars. Annually, if the balance in such fund exceeds seven hundred fifty thousand dollars, the first two hundred thousand dollars of the excess shall be deposited into the Consumer Protection Enforcement Fund established in section 21a-8a. Any excess thereafter shall be applied by the commissioner to reduce the fees payable by new home construction contractors under the provisions of sections 20-417a to 20-417i, inclusive, as amended, and subsection (b) of section 20-421 for the subsequent fiscal year, provided the total amount of fees collected from new home construction contractors under the provisions of said sections and subsection shall not be less than three hundred sixty thousand dollars biennially.

(2) For the fiscal year commencing July 1, 2002, payments received under subsection (b) of this section shall be credited to the fund until the balance in such fund equals seven hundred fifty thousand dollars. Any balance in such fund in excess of seven hundred fifty thousand dollars on July 31, 2002, shall be deposited in the General Fund. From August 1, 2002, to May 31, 2003, any excess in the fund, not to exceed three hundred thousand dollars, shall be deposited in the consumer protection enforcement account established in section 21a-8a. Any balance in the New Home Construction Guaranty Fund, in excess of seven hundred fifty thousand dollars on June 1, 2003, shall be deposited in the General Fund.

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(3) For fiscal years commencing on or after July 1, 2003, payments received under subsection (b) of this section shall be credited to the fund until the balance in such fund equals seven hundred fifty thousand dollars. Annually, if the balance in such fund exceeds seven hundred fifty thousand dollars, the first three hundred thousand dollars of the excess shall be deposited in the consumer protection enforcement account established in section 21a-8a. On June 1, 2004, and each June first thereafter, if the balance in the New Home Construction Guaranty Fund exceeds seven hundred fifty thousand dollars, the excess shall be deposited in the General Fund.

(4) Any money in the New Home Construction Guaranty Fund may be invested or reinvested in the same manner as funds of the state employees retirement system and the interest arising from such investments shall be credited to the fund.

Sec. 127. Section 10a-22q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

After each annual determination of the balance of the private occupational school student protection account required by section 10a-22w, as amended by this act, if the balance of the account is more than [six per cent of the annual net tuition income of the schools which make payments to the account pursuant to section 10a-22u] two million five hundred thousand dollars, the State Treasurer shall transfer to a separate, nonlapsing account within the General Fund, to be known as the private occupational school student benefit account, three-fourths of the annually accrued interest of said student protection account. [In no event shall any transfer of funds be made pursuant to this section which would cause the balance of said student protection account to fall below six per cent of such annual net tuition income.]

Sec. 128. Subsection (a) of section 10a-22u of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

(a) There shall be an account to be known as the private occupational school student protection account within the General Fund. Each private occupational school authorized in accordance with the provisions of sections 10a-22a to 10a-22k, inclusive, shall pay to the State Treasurer an amount equal to one-half of one per cent of the tuition received by such school per calendar quarter exclusive of any refunds paid, except that correspondence and home study schools authorized in accordance with the provisions of sections 10a-22a to 10a-22k, inclusive, shall contribute to said account only for Connecticut residents enrolled in such schools. Payments shall be made by January thirtieth, April thirtieth, July thirtieth and October thirtieth in each year for tuition received during the three months next preceding the month of payment. Said account shall be used for the purposes of section 10a-22v. Any interest, income and dividends derived from the investment of the account shall be credited to the account. All direct expenses for the maintenance of the account may be charged to the account upon the order of the State Comptroller. The Commissioner of Higher Education may assess the account (1) for all direct expenses incurred in the implementation of the purposes of this section which are in excess of the normal expenditures of the Department of Higher Education for accounting, auditing and clerical services, and (2) for the fiscal years ending June 30, 2000, and June 30, 2001, in an amount not to exceed one hundred seventy thousand dollars in each of such fiscal years for personnel and administrative expenses for the purposes of sections 10a-22a to 10a-22k, inclusive, provided such amount does not exceed the annual interest accrual, which shall be transferred to the appropriation of the Department of Higher Education for personal services and other expenses for positions and responsibilities relating to said sections, provided the department has expended all federal funds that may be available for personnel and administrative expenses

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for the purposes of said sections. After disbursements are made pursuant to subdivisions (1) and (2) of this subsection, if the resources of the private occupational school student protection account exceed two million five hundred thousand dollars, no additional school assessments shall be made.

Sec. 129. Section 10a-22w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2002*):

On or before June thirtieth of each year the State Treasurer shall determine the balance of the account established pursuant to section 10a-22u, as amended by this act. Following such determination by the State Treasurer, if the balance of the account is more than [six per cent of the annual net tuition income of schools which make payments to the account pursuant to section 10a-22u] two million five hundred thousand dollars, schools which began payments to the account on or before October 1, 1987, shall cease further payments to the account until it falls below five per cent of such annual net tuition income at which time payment shall be resumed pursuant to section 10a-22u, as amended by this act. Schools which begin payments to the account after October 1, 1987, shall continue to make payments to the account when the balance of the account is six per cent or more of such annual net tuition income for a period of time equal to the number of calendar quarters from October 1, 1987, to the date on which the account first equaled said six per cent, provided such schools shall make payments to the account pursuant to said section 10a-22u when the account falls below five per cent of such annual net tuition income.

Sec. 130. (*Effective from passage*) Section 16 of public act 01-6 of the June special session, section 11 of public act 01-8 of the June special session and sections 6 and 32 of public act 01-9 of the June special session are repealed.

Sec. 131. (*Effective January 1, 2003*) Section 26-31b of the general statutes is repealed.

# OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200  
Hartford, CT 06106 ◇ (860) 240-0200  
<http://www.cga.state.ct.us/ofa>

HB 6002

## **AN ACT CONCERNING ADJUSTMENTS TO THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2003, STATE REVENUES AND OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR.**

### **EMERGENCY CERTIFICATION**

#### **OFA Fiscal Note**

**State Impact:** See Explanation Below

**Municipal Impact:** See Explanation Below

#### **Explanation**

Details of the cost are broken down by agency in the bill. A summary by fund follows:

<b>Fund</b>	<b>Net FY 03 Original Appropriation</b>	<b>Net FY 03 Revised Appropriations</b>	<b>Difference</b>
General Fund	12,431,380,964	12,091,803,703	-339,577,261
Special Transportation Fund	877,308,778	903,162,164	25,853,386
Mash Pequot & Mohegan	120,000,000	134,220,000	14,220,000
Soldiers, Sailors and Marines'	3,463,637	3,634,714	171,077
Regional Market Operation	901,312	930,584	29,272
Banking	15,774,759	15,933,944	159,185
Insurance	21,665,676	21,301,122	-364,554
Consumer Couns & Public Utility	21,243,192	21,001,963	-241,229
Workers' Compensation	24,736,793	24,279,354	-457,439
Criminal Injuries Compensation	1,500,000	1,500,000	0
<b>Grand Total</b>	<b>13,517,975,111</b>	<b>13,217,767,548</b>	<b>-300,207,563</b>

The table below provides a summary of the revenue impact as a result of the bill. A detailed listing of the provisions is shown on [page 20](#).

	<b>FY 03 (in thousands)</b>
Net General Fund Revenue Gain	453,180
Transportation Fund	No Net Change
Conservation Fund Revenue Loss	(1,250)

Primary Analyst: KAK  
Contributing Analyst(s): GM, RW, MM,  
NA, SC

6/29/02  
(SC)

### Carry-Forward of Funds into FY 03

Several sections of the bill provide for the carry-forward (non-lapse) of funds into specific agencies and accounts from FY 02 into FY 03, which may reduce the projected lapse.

### Grants to Towns

Grants to towns would decrease by \$21.3million to \$2,276,467,408 million in FY 03 from the original FY 03 appropriation of \$2,297,811,562.

### Spending Cap

The FY 03 Budget, all funds, is \$376.3 million under the statutory spending cap.

### Budget Growth Rate

The budget growth rate for FY 03 over estimated expenditures for FY 02 based on OFA adjustments for all appropriated funds is 3.4%.

### **Section 1: Appropriates \$4.6 Million to Cover a FY 02 Transportation Fund Deficiency**

This section appropriates \$4.6 million to cover a FY 02 Reserve for Salary Adjustments deficiency which results from approval in July 2001 of the Maintenance and Service (NP-2) contract that exceeded the amount budgeted.

### **Sections 2 – 12 and 16 - 17: Eliminates \$122.6 million in Appropriations from Anticipated FY 01 Surplus by Transferring these Funds to Cover FY 02 General Fund (GF) Deficiencies (\$96 Million) and Crediting the Balance of this Amount after Transfers (\$26.6 Million) to General Fund Resources**

Please see the chart which follows the table below for details.

**Sections 13 - 15: Reduces Carryforwards (\$1.9 Million) and Credits this Amount to GF Resources**

Please see the chart which follows the table below note for details.

**Sections 18: Authorizes the Comptroller to record deficiency appropriations made after 6/30/02 and before 7/31/02 in FY 02**

**Sections 4 – 8a and 16 Reduce Payments to Local Governments and Sec. 17 Increases Payments to Local Governments**

Impact on Appropriations from Anticipated FY 01 Surplus [1]		
<u>FY 01 Surplus Appropriation</u>	<u>Transfer to Cover FY 02 Deficiencies (Sec. 4-8a)</u>	<u>Credit to General Fund Resources (Sec. 16)</u>
OWC – School to Work		\$81,771
SDE – School Construction Grants	\$49,320,000	680,000
SDE – School Wiring		1,908,853
SDE – School Accountability		940,885
SDE – Poor Performing Schools		1,317,239
Totals – Individual Columns	\$49,320,000	\$4,928,748
Total – Combined Columns		\$54,248,748

Section 17 of the bill the increases payments to local governments by \$4,122,000. In addition, funding for 2 Department of Economic and Community Development grants (\$5,143,276 total) is provided in this section rather than in the operating budget.

[1] The appropriation of anticipated FY 01 surplus of \$15 million for Mashantucket Pequot and Mohegan grants to towns is also eliminated by transferring it to cover deficiencies and crediting it to GF resources; however, the FY 03 midterm budget adjustments largely restore this reduction with a \$14,220,000 operating budget appropriation.

***Impact of the "Deficiency" Sections***

Impact on Appropriations from Anticipated FY 01 Surplus
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Affected Accounts	Section #	Transfer to Deficiencies	Deficiency Amount	Deficiency Agency / Account	Credit to GF Resources (Sec. 16)	Total Appropriation Reduction [1]
<b>LEGISLATIVE MANAGEMENT</b>						
CTN		0			(96,549)	(96,549)
<b>OFFICE OF POLICY AND MANAGEMENT</b>						
Energy Contingency	8b	(10,000,000)	(10,000,000)	DSS - Medicaid	(1,874,579)	(11,874,579)
<b>OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS</b>						
Private Provider Infrastructure/Debt Fund	2-3	(2,550,000)	(650,000)	DoIT - OE	(1,950,000)	(4,500,000)
			(1,900,000)	DoIT - HIPA		
Miscellaneous Grants		0			(1,000,000)	(1,000,000)
<b>OFFICE OF WORKFORCE COMPETITIVENESS</b>						
Jobs Funnel Projects		0			(700,000)	(700,000)
Workforce Development Boards		0			(1,852,213)	(1,852,213)
<b>PAYMENTS TO LOCAL GOVERNMENTS</b>						
School to Work		0			(81,771)	(81,771)
<b>DEPARTMENT OF ADMINISTRATIVE SERVICES</b>						
Disabilities Outreach Program		0			(50,000)	(50,000)
Hospital Billing Program		0			(140,000)	(140,000)
<b>PUBLIC SAFETY</b>						
Personal Services		0			(1,905,293)	(1,905,293)
Other Expenses		0			(200,000)	(200,000)

Affected Accounts	Section #	Transfer to Deficiencies	Deficiency Amount	Deficiency Agency / Account	Credit to GF Resources (Sec. 16)	Total Appropriation Reduction [1]
<b>LABOR DEPARTMENT</b>						
CEIP Phase-Out		0			(1,411,328)	(1,411,328)
Individual Development Accounts		0			(400,000)	(400,000)
<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>						
Residential Underground Storage Tank Clean-up	10	(4,000,000)	(4,000,000)	Reserve for Salary Adjustments	(1,024,607)	(5,024,607)
<b>DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES</b>						
Medicaid Rehabilitation Option and Specialty Health Care Plan		0			(152,499)	(152,499)
Supportive Housing		0			(5,113,279)	(5,113,279)
Community Mental Health Strategic Investment Fund		0			(6,000,000)	(6,000,000)
APT Relocation		0			(940,885)	(940,885)
<b>DEPARTMENT OF TRANSPORTATION</b>						
Transportation Strategy Board	8c	(11,600,000)	(11,600,000)	DSS - Medicaid	(2,600,000)	(14,200,000)
Dial-A-Ride/Jobs Transportation		0			(1,681,771)	(1,681,771)
<b>DEPARTMENT OF SOCIAL SERVICES</b>						
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS						
TFA Supportive Employment		0			(940,885)	(940,885)
Christian Community Action/Hill Cooperative		0			(150,000)	(150,000)
Hospital Finance Restructuring Funding	12	(10,000,000)	(10,000,000)	St. Empls. Health Service Cost - OE	(589,547)	(10,589,547)
<b>DEPARTMENT OF EDUCATION</b>						
Reading Institutes		0			(940,885)	(940,885)
Teacher Training		0			(564,531)	(564,531)

Affected Accounts	Section #	Transfer to Deficiencies	Deficiency Amount	Deficiency Agency / Account	Credit to GF Resources (Sec. 16)	Total Appropriation Reduction [1]
<b>PAYMENTS TO LOCAL GOVERNMENTS</b>						
School Construction Grants	4-8a	(49,320,000)	(48,300,000)	DSS - Medicaid (200,000) Military Dept. - PS (20,000) Military Dept. - OE (500,000) DEP - PS (300,000) DEP - OE	(680,000)	(50,000,000)
School Wiring		0			(1,908,853)	(1,908,853)
School Accountability		0			(940,885)	(940,885)
Poor Performing Schools		0			(1,317,240)	(1,317,240)
<b>DEPARTMENT OF HIGHER EDUCATION</b>						
Higher Education State Matching Grant Fund	9, 11	(8,514,000)	(6,500,000)	SDE - Excess Cost-Student Based (2,014,000) WCC-DAS - WCC	(1,459,384)	(9,973,384)
Education and Health Initiatives		0			(132,270)	(132,270)
<b>DEPARTMENT OF CHILDREN AND FAMILIES</b>						
Transition Costs for Connecticut Juvenile Training School		0			(470,442)	(470,442)
Computerized Case Management System		0			(252,708)	(252,708)
<b>WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES</b>						
Transfer Claims Liabilities		0			(1,126,559)	(1,126,559)
<b>MASHANTUCKET PEQUOT AND MOHEGAN FUND</b>						
<b>PAYMENTS TO LOCAL GOVERNMENTS</b>						
Grants to Towns					(15,000,000)	(15,000,000)
<b>TOTAL - GENERAL FUND</b>		(95,984,000)	(95,984,000)		(55,648,963)	(151,632,963)
Transfer of Credits (Sec. 17) [2]	17	0			29,051,513	29,051,513
Net Credits to GF Resources from FY 01 Approp. Reds.					(26,597,450)	(122,581,450)

[1] Of the \$122.6 million in total reductions, this bill transfers \$96 million to cover FY 02 deficiencies and credits \$26.6 million to FY 02 General Fund resources after transfers of \$29.1 million. PA 02-4 (sHB 5026, An Act Concerning the Provision of Smoking Cessation Services under the State Medicaid Plan and Making Technical Corrections to SA 01-1 of the November 15, 2001 Special Session) adds \$47,860 for the AG's Computer System Upgrade and \$128,207 for DHE's Higher Education Asset Protection Program, resulting in net total surplus reductions of \$122.4 million.

[2] The Transfer of Credits is used for specific items as outlined in the bill.

Impact on Carryforwards		
Section #	Agency / Account	Credit C/F to GF Resources
1	Appropriates \$4.6 million for Reserve for Salary Adjustments (TF)	
13	DHE - Minority Advancement Program	(142,164)
14	Tobacco Settlement Funds [3]	(400,000)
15	DMHAS - TBI Community Services	<u>(1,400,000)</u>
	Total Credit C/F to GF Resources	(1,942,164)
18	Authorizes the Comptroller to record deficiency approps. made after 6/30/02 and before 7/31/02 in FY 02	

[3] This change is also reflected in PA 02-4 (sHB 5026, An Act Concerning the Provision of Smoking Cessation Services under the State Medicaid Plan and Making Technical Corrections to SA 01-1 of the November 15, 2001 Special Session) for a total credit to GF resources of \$800,000.

<p><b>Sec. 28 Secretary of the State</b> – this section provides additional authority to expend funds from the Commercial Recording Account. Additional sections of this amendment repeals Sec. 6 of PA 01-9 (JSS) which permits the Secretary of the State to expend up to \$700,000 in FY 03 for the centralized voter registration system.</p>	<p>This section permits the Secretary of the State to expend up to \$1,956,995 from the Commercial Recording Account, a separate non-lapsing account, for Other Expenses (\$1,256,995 for FY 03 ongoing other expenses and \$700,000 for centralized voter registration system). The budget directs the Secretary of the State (SOTS) to expend up to \$1,256,995 for Other Expenses from the Commercial Recording Account, which results in a savings to the General Fund. Additionally, sections of this amendment repeals Sec. 6 of PA 01-9 (JSS), which permits the SOTS to expend up to \$700,000 from the Commercial Recording Account for Other Expenses for the purpose of the centralized voter registration system. This section permits the SOTS to expend up to \$700,000 for such purposes.</p>
<p><b>Sec. 29 (a) (b) &amp; (c) Office of Policy and Management</b> – these subsections allow the unexpended balance for Interlocal Agreements a to be carried forward; carries forward up to \$2,037,051 for the Drug Enforcement Program, and carries forward the unexpended balance for PILOT New Manufacturing Machinery and Equipment</p>	<p>The estimated balance to carry forward for the Interlocal Agreements is \$31,500; for the Drug Enforcement Program is \$2,037,051 and for PILOT New Manufacturing and Machinery and Equipment is \$1 million.</p>
<p><b>Sec. 30 (a) &amp; (b) Office of Workforce Competitiveness</b> – this section allows the</p>	<p>The estimated balance to carry forward for CETC Workforce is \$776,000 and for Jobs Funnel is</p>

unexpended balance in excess of \$700,000 for Jobs Funnel to be carried forward and carries forward up to \$2,000,000 CETC Workforce	\$1,500,000
<b>Sec. 31 (a) &amp; (b) Department of Labor</b> – these subsections allow the unexpended balance for the Workforce Investment Act and Welfare to Work to be carried forward.	The estimated balances to carry forward for the Workforce Investment Act is \$7.8 million and for Welfare to Work is \$800,000
<b>Sec. 32 (a) &amp; (b) Department of Social Services / Department of Information Technology</b>	This section establishes a non-lapsing account to be available to the Department of Information Technology for the purposes of funding system changes in state agencies necessary for compliance with the federal Health Insurance Portability and Accountability Act. The most significant expenditures to achieve compliance will occur within the Department of Social Services. Expenditures for system changes within DSS may be eligible for federal matching dollars from between 50 percent and 90 percent. This provision would require that any matching federal funds be deposited in a non-lapsing account within the General Fund. These funds will be made available for compliance with HIPPA requirements in DSS and any other state agency. Compliance with HIPPA is still in the planning stages and the full cost is not known at this time. However, the cost is expected to be significant in future fiscal years.
<b>Sec. 32 (c) Department of Social</b>	This section allows the

<b>Services</b>	Department of Social Services to bill the non-lapsing account established in subsection (b) for the development of a data warehouse. It is estimated that the cost for this project will range from \$500,000 to \$1 million depending upon the requirements outlined in the request for proposals.
<b>Sec. 33 Department of Social Services</b>	This section repeals a portion of the “hold harmless” payments to be made to three hospitals as result of the elimination of the tax on all hospitals during the 2001 session. These payments were to be made to Hartford Hospital, Saint Francis Hospital, and Stamford Hospital for fiscal years 2002 and 2003. The hospitals were to receive equal payments in eight quarters over two years. This statutory change reduces those payments from eight quarters to three. This reduction in payments results in total saving for FY02 and FY03 of \$11 million.
<b>Sec. 34 Department of Correction</b> – this section allows the unexpended balance for Inmate Medical Services to be carried forward.	The estimated balance to carry forward for Inmate Medical Services is \$300,000
<b>Sec. 35 Department of Motor Vehicles</b> – this section allows the balance for fully reflectorized license plates to be carried forward for that purpose and for the upgrading of the agency’s registration and driver’s license data processing system	The estimated balance to carry forward is \$3,003,241
<b>Sec 36 and 37</b> make changes associated with the Tobacco	These sections result in an FY 03 General Fund revenue gain of

<p>Settlement Fund. Section 18 cancels statutorily mandated transfers in FY 03, as follows: The sum of \$12 million which would otherwise have been credited to the Tobacco and Health Trust Fund, and \$4 million which would otherwise have been credited to the Biomedical Research Trust Fund. Instead, the \$16, as well as any balance in the Tobacco Settlement Fund, will be credited to the resources of the General Fund.</p> <p>Section 37 credits any balance in the Tobacco and Health Trust Fund in excess of \$3,757,139 and any balance in the Biomedical Research Trust Fund to the resources of the General Fund, effective July 1, 2002.</p>	<p>\$66.9 million. The Tobacco and Health Trust Fund will experience a loss of \$58.9 million. The Biomedical Research Trust Fund will experience a loss of \$8 million.</p>
<p><b>Sec. 38 (a) Teachers' Retirement Board</b> – this section permits the contribution to the teachers retirement fund to be less than 100%</p>	<p>This section allows contributions to be reduced by \$32.175 million resulting in an 85% contribution level.</p>
<p><b>Sec. 38 (b) Office of the Chief Medical Examiner</b> – this section permits up to \$50,000 appropriated for Medicolegal Investigations to be carried forward for equipment for the purchase of death investigation software</p>	<p>The estimated balance to carry forward is \$50,000.</p>
<p><b>Sec. 43 – Department of Labor</b> – this section directs \$400,000 of the amount appropriated to the department for use as follows: \$300,000 for Displaced Homemakers, and \$100,000 for</p>	

Non-Traditional Occupational Training.	
<b>Sec. 44 Department of Transportation</b> - This section carries forward \$1,564,264 of which \$1 million is for Jobs Access; \$464,264 for consultant services for the Transportation Strategy Board, and \$100,000 for an urban downtown plan	
<b>Sec. 45</b> – This section carries forward \$100,000 appropriated to the Department of Mental Health and Addiction Services and transfers such funds to Central Connecticut State University for the Institute for Municipal and Regional Policy at the Center for Public Policy and Practical Politics.	
<b>Sec. 46</b> This section transfers \$50,000 appropriated to the University of Connecticut for Operating Expenses to be used for the Veterinary Diagnostic Laboratory	
<b>Sec. 47 – Office of Policy and Management</b> - This section requires the Office of Policy and Management to develop a Senior Citizen Website within available appropriations	
<b>Sec. 49 (a) (b) (c) &amp; (d) - Legislative Management</b> – this section carries forward funds for Legislative Management	
<b>Sec 50</b> - This section requires that \$60,000 of the amount appropriated to the Judicial Department be used for Interpreter Services	
<b>Sec. 51 Department of Mental</b>	

<b>Health and Addiction Services -</b> This section requires that at least \$250,000 of current other expenses funding be used to maintain Blue Hills Hospital	
<b>Sec. 52</b> This section gives the Governor expanded recission authority	
<b>Sec 53 – Department of Correction</b> – this section carries forward funding for Workers Compensation Claims	
<b>Sec 54 (a) &amp; (b) Department of Transportation</b> - this section carries forward funds for Bus Operation and Rail Operations	

## **Driving While Intoxicated Law Changes (Sections 108 through 117)**

### ***Summary***

The bill lowers the blood-alcohol content (BAC) for defining drunk driving from .10% to .08%, and eliminates the separate offense for driving while impaired (DWI) by alcohol, - (.07% - .99% BAC).

Passage of this bill is not expected to have a significant fiscal impact on the Judicial Department, the Department of Motor Vehicles and on the Department of Mental Health and Addiction Services. However, it could have a potential significant cost impact on the Department of Correction. The cost would depend on the number of additional offenders placed under its custody.

Moreover, passage of this bill would make the Department of Transportation eligible for incentive grants totaling \$2.8 million (\$1.4 million each for FFY 02 and FFY 03). In addition, the department would not be subject to sanctions of highway construction funds. These sanctions could total approximately \$3.7 million in FFY 04 and approximately \$35 million from FFY 04 through FFY 07.

### ***Judicial Department***

These changes outlined above are expected to result in a minimal revenue loss to the state from court fines and fees. (*See the table below.*) The bill also eliminates the .07% BAC that applies to repeat offenders. This change is not expected to have a fiscal impact because it applies to relatively few cases. There was one such offense in FY 01, and it did not result in a conviction.

<b>Estimated Impact of the Bill's Changes on Court Fines and Fees</b>		
	Convicted Offenses Increase or (Decrease)	Revenue Gain or (Loss)
Lowers drunk driving threshold to .08%	265	\$90,000
Eliminates DWI infraction (.07% - .99%)	(814)	(\$121,000)

Net Revenue Impact		(\$31,000)
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***Department of Mental Health and Addiction Services***

The bill makes several changes that affect the Pretrial Alcohol Education System (PAES) operated by the Department of Mental Health and Addiction Services (DMHAS). This program provides alcohol education counseling to certain individuals charged with drunk driving, and is supported by participant fees. The change from .10 to .08 BAC level will increase the number of individuals referred to the program, although it is not known how many of the additional 265 individuals charged (estimated above) will be referred to PAES. These additional clients will result in additional program expenses as well as offsetting revenue from fees for the restricted, non-General Fund Pretrial Account operated by DMHAS.

The bill also changes the determination of whether the individual must have ten or fifteen counseling sessions under PAES to a court order rather than the individual's BAC. It is not known to what extent this will change the distribution of individuals assigned to the different number of sessions. Due to uncertainty in the distribution of clients as well as the number of new clients, the additional costs and additional offsetting revenues for the Pretrial Account cannot be determined.

The bill also disaggregates the \$100 evaluation fee from the PAES program fee that participants must pay. Since the program fees are reduced by \$100, no net change in revenue is anticipated.

***Department of Motor Vehicles***

Lowering the BAC standard from .10% to .08% could generate an additional 265 Administrative Per Se cases a year, 110 of which could request hearings. The additional number of Administrative Per Se hearings can be accommodated by the Department of Motor Vehicles (DMV) within existing resources. Assuming 220 of the new cases have their licenses suspended, the revenue gain to the Transportation Fund from the \$100 license restoration fee could be approximately \$22,000 per year.

Since the bill lowers the BAC standard from .10% to .08%, the department will need to reprogram all hearing notices, suspension notices and hearing decisions. However, the DMV will reallocate the resources of its durational consultant programmers to modify the computer system in-house. Ongoing costs for information technology services from CATER (Connecticut Administrative Technology Center) in the Department of Information Technology can be handled within normal budgetary resources.

### ***Department of Correction***

Lowering the level at which a driver can be convicted of drunk driving would result in more individuals being committed to the Department of Correction (DOC). The number of additional offenders that will be placed in DOC's custody as a result of this bill is unknown, but the costs could be significant. Currently, there are about 250 such offenders in the custody of the department. Annual cost for the incarceration of these offenders is approximately \$5 million to \$6 million per year. Incarceration costs for lower level security inmates ranges between \$60 and \$70 per day or \$24,000 per year.

### ***Incentives and Sanctions Under TEA-21***

In accordance with federal fiscal year (FFY) 2002 Transportation Appropriations Act, if the State of Connecticut enacts a .08% BAC standard by July 1, 2002 (which can become effective September 30, 2002), the state would be eligible to receive incentive grants of approximately \$1.4 million for both FFY 2002 and FFY 2003 for a total of \$2.8 million in incentive grants.

Moreover, if the state does not adopt the .08 BAC standard by FFY 2004, 2% of highway construction funds would be withheld. (Specifically, the Surface Transportation Program (STP), National Highway System (NHS) and Interstate Maintenance programs would be affected). The penalty increases by 2% each federal fiscal year to 8% in FFY 2007. The first year penalty could be approximately \$3.7 million. Although the Transportation Equity Act for the 21st Century

(TEA-21) lasts through FFY 03, projecting sanctions through FFY 07, based on similar authorizations of \$193 million annually for the three programs mentioned above, could approximate a total of \$35 million.

***Department of Public Safety***

The bill makes a technical change regarding the adoption of certain regulations by the Department of Public Safety. There is no associated fiscal impact.

Section 118 implements a maximum allowable cost (MAC) policy for the Medicaid, State Administered General Assistance (SAGA), ConnPACE and AIDS drug assistance programs. This policy establishes a ceiling price that the state will pay for certain generic drugs. This change is expected to save \$5 million annually. The FY03 budget adjustment assumes \$4.2 million in savings for this initiative in FY03.

Section 119 strengthens the state's existing law that requires nursing homes to participate in the drug return program. DSS will be allowed to impose financial sanctions on those homes that do not participate. The FY03 budget adjustment assumes \$3.7 million in savings for this initiative in FY03.

Section 120 allows the Department of Social Services (DSS) to establish a voluntary mail order prescription program to fill maintenance drugs. This change is expected to save \$14.2 million when fully annualized. The FY03 budget adjustment assumes \$2.5 million in savings for this initiative in FY03.

Section 121 establishes a preferred drug list for the Medicaid and ConnPACE programs. Federal law (42 USC sec.1396r-8(a)(4)) allows states to establish a preferred drug list and negotiate supplemental rebates from drug manufacturers. This section establishes a pharmaceutical best practices program that includes the establishment of a preferred drug list along with its prior authorization plan. Drugs not on the preferred list may be distributed by prior authorization only. A drug may be excluded from the preferred list if it does not have a significant, clinically meaningful therapeutic advantage in terms of safety, effectiveness, or clinical outcome of such treatment for such population over other drugs included in the list and there is a written explanation (available to the public) of the basis for the exclusion. DSS is granted the authority to negotiate with manufacturers supplemental rebates for all drugs placed on the preferred provider list.

The section also establishes a Pharmaceutical and Therapeutics

Committee consisting of physicians, pharmacists, and other appropriate individuals appointed by the Governor. The committee is responsible for determining if a drug has a significant, clinically meaningful therapeutic advantage in terms of safety effectiveness and clinical outcome and thus not allowed to be excluded from the list. All antiretroviral and mental health related drugs are exempt from prior authorization restrictions and are placed on the preferred drug list.

It is estimated that this policy will save \$6.3 million annually under the ConnPACE program and \$31 million annually under the Medicaid program. The FY03 budget adjustment assumes a FY03 savings of \$5 million, assuming October 1, 2002 implementation of the preferred drug list. In addition, the FY03 budget adjustment contains an appropriation for administrative costs of \$900,000 (\$400,000 for personnel and \$500,000 for operating expenses) to implement the program.

Section 122 reduces the dispensing fee paid to pharmacists under the Medicaid, ConnPACE and SAGA program from \$4.10 to \$3.85. This change is expected to save \$2.2 million annually, with savings of \$1.85 million in FY03.

Additionally the bill allows DSS to implement a pharmaceutical purchasing initiative by contracting with for the purchase of drugs. The savings generated through this provision will depend upon the scope of service contracted.

The table below presents a listing of the provisions contained in the bill that have a revenue impact to the General Fund, Transportation Fund, and Conservation Fund.

Section	Description/Revenue Source	FY 03 (in thousands)
<u>General Fund Tax &amp; Fee Changes</u>		
	<b><i>Personal Income Tax</i></b>	
78-80	Defer the increase in the singles exemption	12,000
81	Impose the tax non -resident casino gambling winnings, effective 1/1/02	6,000
	<b><i>Corporation Tax</i></b>	
55	Impose a \$250 surcharge on LLC's, LLP's, S-Corps, effective 1/1/02	28,000
57 & 58	Institute an absolute minimum tax of \$250, which cannot be reduced by credits	500
59	Cap the use of credits at no greater than 70% of a company's liability	30,000
60	Limit R&D credit exchange program	13,000
	<b><i>Sales Tax</i></b>	
65 & 67	Exempt aviation services, effective retroactively to 1/1/94	(800)
66 & 68	Impose the sales tax on self-storage units, effective 7/1/02	1,500
69 & 70	Defer phase-out of computer/data processing services until 7/1/04	10,000
	<b><i>Gift Tax</i></b>	
76	Defer the phase-down of the tax for two years, until 1/1/04	2,600
	<b><i>Fees</i></b>	
103-107	Increase certain court filing fees	1,300
	<b>Sub-Total</b>	<b>104,100</b>
	<b><i>Transfers to General Fund/One-time Enhancements</i></b>	
41	Transfer from quasi-public agencies (\$85m -CHFA, \$7.5m- CDA&CII)	100,000
37	Transfer from Tobacco Health Trust Fund	46,900
37	Transfer from the Biomedical Research Trust Fund	4,000
36	Redirect FY 03 transfer from the Tobacco Health Trust Fund	12,000
36	Redirect FY 03 transfer from the Biomedical Research Trust Fund	4,000
39	Proceeds from Anthem demutualization	127,200
40,127-129	Transfer from the Private Occupational Student Protection Fund	1,000
130	Eliminate one-time transfer from Petroleum Tax to Conservation Fund	1,000
82	Tax Amnesty Program (net of up to \$2 million DRS administration expenses)	22,000

Section	Description/Revenue Source	FY 03 (in thousands)
75	Suspend transfers to Underground Storage Fund for FY 03	12,000
48, 126	Transfer from the Home Construction Guaranty Fund	1,200
42	Transfer from Probate Administration Fund	5,000
48	Transfer from Commercial Recording Account	1,000
72	Reduce Petroleum Tax transfer to Transportation Fund	26,000
	<b>Sub-Total</b>	<b>363,300</b>
	<b>Miscellaneous Changes/Transfers</b>	
124	Increase transfer to Mashantucket Pequot/Mohegan Fund	(14,220)
	<b>Total Changes - General Fund</b>	<b>453,180</b>
<u>Transportation Fund</u>		
71	Increase diesel fuel tax from 18-cents to 26-cents/gallon, effective 8/1/02	23,000
74	Floor tax on diesel fuel	2,000
72	Reduce transfer to Conservation Fund by \$1 million in FY 03	1,000
73	Reduce Petroleum Tax transfer to Transportation Fund	(26,000)
	<b>Total Changes - Transportation Fund</b>	<b>-</b>
<u>Conservation Fund</u>		
72	Reduce transfer to Conservation Fund by \$1 million in FY 03	(1,000)
130	Eliminate one-time transfer from Petroleum Tax to Conservation Fund	(1,000)
84-102,66	Increase various DEP license and permit fees	750
	<b>Total Changes - Conservation Fund</b>	<b>(1,250)</b>

*The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either House thereof for any purpose.*

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**OLR Bill Analysis**

HB 6002

*Emergency Certification*

**AN ACT CONCERNING ADJUSTMENTS TO THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2003, STATE REVENUES AND OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR**

**SUMMARY:**

This bill adjusts state appropriations for FY 2002-03, allows specified funds to be carried forward rather than lapsing on July 1, 2002, transfers money to the General Fund, and makes many other funding adjustments for FY 2002-03. It also allocates funds to cover deficiencies in appropriations for FY 2001-02.

The bill makes many changes in state taxes and revenues. It also makes several changes in the drunk driving law, including lowering the .10% blood-alcohol content (BAC) standard for defining the per se offense of drunk driving (DWI) to .08% BAC.

A section-by-section analysis of the changes in state taxes and revenues and in the DWI law appears below. A description of the budget changes and deficiency adjustments is contained in the fiscal impact statement provided by the Office of Fiscal Analysis.

EFFECTIVE DATE: Various. See individual sections below.

**SECS. 1- 54** – Not included in this analysis.

**SEC. 55 – NEW TAX ON CERTAIN BUSINESSES**

***Imposition of Tax***

This bill imposes a \$250 annual state tax on foreign and domestic limited liability companies (LLCs), limited liability partnerships (LLPs), limited partnerships (LPs), and S corporations required by law to file annual reports with the secretary of the state. “S corporations” are domestic corporations that have (1) no more than 75 shareholders, (2) only one class of stock, and (3) only those types of shareholders allowed by federal law.

The tax is due every year on or before the 15<sup>th</sup> day of the fourth month after the close of the business’ taxable year for federal income tax purposes. If the businesses do not pay the tax within 30 days after it is due, they will, in addition to the tax, have to pay interest on it at a rate of 1% per month or fraction of a month, starting from the due date, and a \$50 penalty.

## **Tax Collection**

The revenue services commissioner can collect the tax by taking any action that he can currently take to collect money owed to the state. This means he (or another authorized agent) can levy on the property or sign a warrant to take control of the business, including operating it to secure its income for the state, forcing an end to its operations. Additionally, the attorney general may start civil proceedings to collect the tax.

On every December 31 after the due date, the tax plus the interest and penalty act as a lien against any real estate the taxpayer owns in the state. A lien certificate, signed by the commissioner, may be filed on the land record in the town where the property is located. However, the lien is not effective against a bona fide purchaser or the interest of any qualified encumbrancer. And if any interested party asks, the commissioner must file a certificate discharging the lien on the same land record.

Under the bill, the attorney general can foreclose the lien by bringing an action in the superior court of the judicial district where the property is located. If located in two or more districts, the attorney general may file suit in any one. At the conclusion of any such action, the court can limit the redemption period, order the property sold, or issue any other equitable decree.

## ***Penalty Waiver***

The bill permits the commissioner to waive all or a part of the penalties if the business' failure to pay was not intentional or due to negligence, but based on reasonable cause. He may also abate or remit any penalty if he is satisfied beyond a reasonable doubt that there was reasonable cause for the failure to pay the tax. The Penalty Review Committee must review and approve waivers in excess of \$500 in the same way that it currently approves waivers the commissioner is authorized to make.

## **Applicable Admissions and Dues Tax Laws**

The bill applies certain provisions of the law on admissions and dues tax to this new business tax. Under these provisions, the revenue services commissioner can (1) assess tax deficiencies where necessary; (2) require the businesses to keep certain records and examine all of their records; and (3) administer oaths, subpoena witnesses, and receive testimony. The businesses can file for a refund for tax overpayments, request a hearing on the amount of taxes they are required to pay, and appeal the hearing decision if aggrieved. Lastly, an additional penalty may be imposed on businesses for willful violations or filing fraudulent returns.

**EFFECTIVE DATE:** Upon passage and applicable to income years starting on or after January 1, 2002.

## **SEC. 56 – CORPORATION TAX DEPRECIATION RULES**

The bill bars corporations from using a recently enacted federal bonus depreciation rule to determine net income for purposes of the corporation tax. Under current law, federal depreciation rules, including the bonus, automatically apply to state corporation tax determinations. Under the bill, corporations must follow all applicable federal depreciation rules, except the bonus.

The federal law (P.L. 107-147, Sec. 101, codified as 26 USC 168(k)) gives corporations a special 30% first-year bonus depreciation on certain property they buy or start building on or after September 11, 2001 and before September 11, 2004. They must place the property in service before January 1, 2005. The bonus depreciation applies to property subject to the “modified accelerated cost recovery system” (i.e., property placed in service after 1986). It covers such property that is (1) depreciable over 20 years or less, (2) water utility property, (3) computer software not subject to separate intangible property amortization rules, or (4) qualified leasehold improvement property.

The bill also eliminates obsolete provisions (1) limiting the corporation tax depreciation deduction available under the federal “accelerated cost recovery system” for the first five years after it was instituted (i.e., income years 1981-1985); (2) allowing companies to recover the amounts not allowed over the succeeding five years (i.e., income years 1986-1991); (3) allowing companies to choose to continue using pre-1981 depreciation rules; and (4) allowing the DRS commissioner to disallow use of pre-1981 rules under certain conditions.

**EFFECTIVE DATE:** Upon passage and applicable to property placed in service after September 10, 2001 in income years ending after that date.

## ***SECS. 57 & 58 – MINIMUM CORPORATION TAX***

The bill bars companies from using tax credits to reduce their minimum corporation tax liability below the \$250 annual minimum tax. It also makes conforming changes to require financial services companies and each corporation included in a combined return, including those whose tax is computed and paid on a combined basis, to pay at least the \$250 minimum.

**EFFECTIVE DATE:** July 1, 2002 and applicable to income years beginning on or after January 1, 2002.

### **SEC. 59 - CORPORATION TAX CREDIT LIMITS**

The bill limits the total value of corporation tax credits allowed to any company for any income year to 70% of its tax liability for the year without the credits. The limit applies to income years starting on or after January 1, 2002.

EFFECTIVE DATE: July 1, 2002 and applicable to income years beginning on or after January 1, 2002.

### **SEC. 60 - LIMITS ON R&D TAX CREDIT REFUNDS**

The bill limits the annual amount a company may receive in payment of refunds for 65% of the value of unused corporation tax credits for research and development (R&D) expenses as follows:

1. For credit refund applications for income years starting in 2000 and 2001 where the credit refund has not been paid as of July 1, 2002, a maximum of \$1 million during the state fiscal year in which the initial refund is paid, with any balance paid in two equal installments during the two following fiscal years.
2. For applications for income years starting in 2002 or thereafter, up to \$1.5 million per income year.

The bill also specifies that, instead of applying for the credit when it files a final corporation tax return for the income year, a company must apply when it files its corporation tax return for the year, by the original or any extended due date. The bill bars companies from filing credit refund applications after the return's original or extended due date.

By law, only companies with annual gross incomes of \$70 million or less are eligible for the credit refunds.

EFFECTIVE DATE: July 1, 2002

### **SECS. 61 & 62 - CARPENTER TECHNOLOGY DECISION**

The Department of Revenue Services (DRS) commissioner can adjust a corporation's reported Connecticut income, deductions, capital, and assets under the corporation tax if he determines the company has an agreement, understanding, or arrangement with another company that gives an inaccurate or improper reflection of its Connecticut business, income, or capital. This bill specifies that (1) the facts, circumstances, and transactions of the *Carpenter Technology* case meet the legal standard for making such an

adjustment and (2) the commissioner was justified in making adjustments in that case. It thus bars other companies from using the type of transactions that Carpenter Technology Corp. used to reduce or avoid state corporation tax liability.

Carpenter Technology set up a Delaware subsidiary; capitalized it with \$300,005,000; and, a few days later, borrowed all but \$5,000 back. Carpenter paid interest on the loan and deducted the interest, saving \$196,102 in Connecticut corporation taxes for 1990 and 1991. The DRS commissioner determined the loan had no valid business purpose and disallowed the interest deduction. But a Superior Court ruling, endorsed by the Connecticut Supreme Court, held the disallowance was unreasonable because Carpenter's arrangement did not result in an improper or inaccurate reflection of income (*Carpenter Technology Corp. v. Commissioner of Revenue Services*, 47 Conn. Sup. 122 (2000); *Carpenter Technology Corp. v. Commissioner of Revenue Services*, 256 Conn. 455 (2001)).

The bill also prohibits the commissioner from exercising his authority to make adjustments in an arbitrary, capricious, or unreasonable way.

EFFECTIVE DATE: Upon passage and applicable to income years starting on or after January 1, 2002.

## **SECS. 63 & 64 - CORPORATION BUSINESS TAX OVERPAYMENTS**

The bill bars DRS from paying interest on corporation or air carrier tax overpayments for the first 90 days after the last filing date for the tax return, excluding extensions, or after the date it is filed, whichever is later. For amended returns, the prohibition applies to the first 90 days after the amended return is filed. Any amended return filed before the last filing date, excluding extensions, must be considered as having been filed on the last day.

Currently, DRS must pay 0.66% interest for each month or part of a month that elapses between the tax due date or the overpayment date, whichever was later, and the date DRS gives notice of the refund. No interest is payable on refunds stemming from estimated payments made with tentative returns or to quarterly estimated tax payments. The bill extends the interest payment requirements to overpayments of estimated tax and specifies that interest accrues from the date the overpayment is made to a date specified by the DRS commissioner that is not more than 30 days before the date of the refund check.

Under the bill, returns and amended returns are considered filed only when they are filed on authorized forms and contain the taxpayer's name; address; identifying number; required signatures; and enough information, either on the return itself or in required attachments, to mathematically verify the tax liability shown on it.

For overpayments reported on late-filed or amended tax returns, the bill declares that the current law does not permit DRS to pay interest for any period before the return is filed with the department.

EFFECTIVE DATE: Upon passage and applicable for returns and amended returns filed on or after July 1, 2001 and not allowed and paid before passage.

### **SECS. 65 & 67 – SALES AND USE TAX EXEMPTION FOR CERTAIN AIRCRAFT-RELATED SERVICES**

The bill exempts business analysis, management, consulting, and public relations services furnished in connection with an aircraft that (1) is leased or owned by a commercial air carrier operating under a Federal Aviation Administration certificate or (2) that has a maximum certificated take-off weight of at least 6,000 pounds from sales and use taxes, retroactive to January 1, 1994.

EFFECTIVE DATE: July 1, 2002 and applicable to sales occurring on or after January 1, 1994.

### **SECS. 66 & 68 - SALES AND USE TAX ON STORAGE UNITS**

The bill applies the 6% sales and use taxes to businesses that rent space, other than space a person lives in, for storing personal property.

EFFECTIVE DATE: July 1, 2002, and applicable to sales occurring on or after that date.

### **SECS. 69 & 70 – SALES AND USE TAX ON COMPUTER AND DATA PROCESSING SERVICES**

The bill defers the final step of a scheduled phase-out of the sales and use taxes on computer and data processing services for two years. Under current law, the remaining 1% tax on such services will expire on July 1, 2002. This bill delays the expiration date and maintains the tax at 1% until July 1, 2004.

Effective Date: July 1, 2002 and applicable to sales occurring on and after that date.

### **SECS. 71 & 74 – DIESEL FUEL TAX INCREASE**

The bill increases the tax on diesel, propane, and natural gas fuel sold in the state from 18 to 26 cents per gallon as of August 1, 2002. It imposes an excise tax of 8 cents on each gallon of diesel fuel that licensed gasoline dealers have in inventory as of either the close of business or 11:59 p.m. on July 31, 2002. It requires dealers, by September 1, 2002, to (1) report to the DRS commissioner the number of gallons of diesel fuel they had in inventory at that time and (1) pay the excise tax.

Amounts not paid by the due date accrue 1% interest per month or part of a month until paid. Failure to file the inventory report or filing an incorrect report must be treated as if the dealer failed to file other required motor vehicle tax reports, or filed them incorrectly, subjecting the dealer to, among other things, a penalty of 10% of the tax due or \$50, whichever is greater. In addition, failure to file inventory reports and pay the excise tax are grounds for revoking any state licenses or permits the dealer holds.

The motor vehicles commissioner must cooperate with the DRS commissioner to enforce the tax.

EFFECTIVE DATE: Upon passage and applicable to fuels sold or used in Connecticut on or after August 1, 2002.

## **SEC. 72 – CONSERVATION FUND/FISHERIES ACCOUNT REVENUE**

For FY 2002-03, the bill reduces by \$1 million, from \$3 million to \$2 million, the amount of tax revenue generated from the sale of motor fuel by distributors to boatyards, marinas, and other such facilities that must be transferred to the Conservation Fund. It reduces the allocation to the fisheries account within the fund by \$1.05 million, from \$2.05 million to \$1 million. For FY 2003-04 and thereafter, the bill restores the annual \$3 million revenue transfer to the fund and increases the required allocation to the fisheries account to \$2 million.

The bill eliminates a \$75,000 fisheries account allocation to the Department of Economic and Community Development for an economic study of the lobster industry in Long Island Sound and a minimum \$850,000 fisheries account allocation to Department of Environmental Protection to enhance recreational fishing.

EFFECTIVE DATE: Upon passage

## **SEC. 73 – SPECIAL TRANSPORTATION FUND REVENUE**

The bill reduces the amount of petroleum products gross earnings tax revenue attributable to motor fuel sales that the DRS commissioner must transfer to the Special Transportation Fund. The reduction is from \$11.5 million to \$5 million for each quarter between the one ending September 30, 2002 and the one ending September 30, 2003, and \$5.25 million for each quarter thereafter.

EFFECTIVE DATE: Upon passage

## SEC. 75 – TRANSFERS TO THE UNDERGROUND STORAGE TANK FUND CLEAN-UP ACCOUNT

The bill prohibits transfers of petroleum products gross earnings tax payments due in FY 2002-03 to the Underground Storage Tank Clean-Up Account. Under current law, the fund receives one-third of the quarterly tax revenue but PA 02-80, effective July 1, 2002, changed the transfer amount to a flat \$3 million per quarter.

The account (1) reimburses responsible parties for expenses greater than \$10,000 but less than \$1 million related to cleaning up leaking nonresidential underground storage tanks and (2) pays administrative costs for the program.

EFFECTIVE DATE: Upon passage

## SEC. 76 - GIFT TAX PHASE-OUT DELAY

The bill delays a scheduled phase-out of the tax on gifts of \$1 million or less. The tax on gifts of \$25,000 or less was eliminated as of January 1, 2001. This bill delays the effective date of each scheduled rate reduction on gifts between \$25,000 and \$1 million by two years, thus delaying the end of the phase-out from January 1, 2006 to January 1, 2008. It freezes the gift tax at 2001 rates for the 2002 and 2003 calendar years and defers each subsequent reduction by two years as shown in Table 1.

**Table 1: Gift Tax Phase-Out Schedule**

<b>TAX RATES IN EFFECT</b>			
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>	<b><i>Gift</i></b>	<b><i>Tax</i></b>
2001	2001 2002 2003	\$25,000 or less	None
		\$25,001 –\$50,000	\$250 plus 2% of the amount over \$25,000
		\$50,001-\$75,000	\$750 plus 3% of the amount over \$50,000
		\$75,001-\$100,000	\$1,500 plus 4% of the amount over \$75,000
		\$100,001-\$675,000	\$2,500 plus 5% of the amount over \$100,000
		Over \$675,000	\$31,250 plus 6% of the amount over \$675,000
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>	<b><i>Gift</i></b>	<b><i>Tax</i></b>
2002	2004	\$50,000 or less	None
		\$50,001-\$75,000	\$750 plus 3% of the amount over \$50,000

<b>TAX RATES IN EFFECT</b>			
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>	<b><i>Gift</i></b>	<b><i>Tax</i></b>
		\$75,001-\$100,000	\$1,500 plus 4% of the amount over \$75,000
		\$100,001-\$700,000	\$2,500 plus 5% of the amount over \$100,000
		Over \$700,000	\$32,500 plus 6% of the amount over \$700,000
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>	<b><i>Gift</i></b>	<b><i>Tax</i></b>
2003	2005	\$75,000 or less	None
		\$75,001-\$100,000	\$1,500 plus 4% of the amount over \$75,000
		\$100,001-\$700,000	\$2,500 plus 5% of the amount over \$100,000
		Over \$700,000	\$32,500 plus 6% of the amount over \$700,000
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>	<b><i>Gift</i></b>	<b><i>Tax</i></b>
2004	2006	\$100,000 or less	None
		\$100,001-\$850,000	\$2,500 plus 5% of the amount over \$100,000
		Over \$850,000	\$40,000 plus 6% of the amount over \$850,000
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>	<b><i>Gift</i></b>	<b><i>Tax</i></b>
2005	2007	\$950,000 or less	None
		Over \$950,000	\$45,000 plus 6% of the amount over \$950,000
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>	<b><i>Gift</i></b>	<b><i>Tax</i></b>
2006 and after	2008 and after	\$1 million or less	None
		Over \$1 million	\$47,500 plus 6% of the amount over \$1 million

EFFECTIVE DATE: Upon passage and applicable to income years starting on or after January 1, 2002.

**SEC. 77 - DEPRECIATION FOR BUSINESSES OTHER THAN CORPORATIONS**

The bill requires individuals receiving income from businesses that are not required to pay the state corporation tax, such as limited liability partnerships, limited liability companies, and S corporations, to add back a recently enacted federal bonus depreciation allowance when figuring their Connecticut adjusted gross income for the state income tax (See Sec. 56 above).

EFFECTIVE DATE: July 1, 2002, and applicable to tax years beginning on or after January 1, 2002.

**SECS. 78-80 - INCOME TAX FOR SINGLE FILERS**

For single people, the bill freezes through 2003 the personal exemption from the state income tax and the income threshold for a reduced exemption. It also delays increases in the exemption and exemption reduction thresholds previously scheduled for taxable years 2002 through 2007 by two years each so they take effect for 2004 through 2009 (see Table 2).

***Table 2: Singles Exemption Schedule***

<b><i>Taxable Year(s)</i></b>		<b><i>Exemption</i></b>	<b><i>Exemption Reduction Threshold</i></b>
<b><i>Current Law</i></b>	<b><i>The Bill</i></b>		
2001	2001- 2003	\$12,500	\$25,000
2002	2004	12,750	25,500
2003	2005	13,000	26,000
2004	2006	13,500	27,000
2005	2007	14,000	28,000
2006	2008	14,500	29,000
2007 and after	2009 and after	15,000	30,000

The bill delays increases in adjusted gross income levels at which singles qualify for income tax credits. It does so by freezing until 2004 the 2001 income tables used to figure credits and correspondingly delaying scheduled implementation dates for each new income table by two years. Credits range from 75% for people with the lowest qualifying incomes to 1% for those with the highest. Table 3 shows the credits for the lowest and highest income ranges under current law and the bill.

**Table 3: Singles Tax Credit Schedule**

<b>Taxable Year(s)</b>		<b>Income Ranges</b>	
<b>Current Law</b>	<b>The Bill</b>	<b>Lowest (75% credit)</b>	<b>Highest (1% credit)</b>
2001	2001-2003	\$12,500-\$15,600	\$54,000-\$54,500
2002	2004	12,750-15,900	55,000-55,500
2003	2005	13,000-16,300	56,000-56,500
2004	2006	13,500-16,900	58,000-58,500
2005	2007	14,000-17,500	60,000-60,500
2006	2008	14,500-18,100	62,000-62,500
2007 and after	2009 and after	15,000-18,800	64,000-64,500

Income tax credits over \$100 are reduced by 10% for each \$10,000 of annual income above a specified threshold. The bill delays by two years scheduled increases in these thresholds for single filers as shown in Table 4.

**Table 4: Singles Credit Reduction Threshold**

<b>Credit Phase-Out Threshold</b>	<b>Taxable Year(s)</b>	
	<b>Current Law</b>	<b>The Bill</b>
\$54,500	2001	2001-2003
55,500	2002	2004
56,500	2003	2005
58,500	2004	2006
60,500	2005	2007
62,500	2006	2008
64,500	2007 and after	2009 and after

EFFECTIVE DATE: Upon passage and applicable to tax years starting on and after January 1, 2002.

## **SEC. 81 - NONRESIDENTS' GAMBLING WINNINGS**

Under current law, nonresidents' Connecticut lottery winnings over \$5,000 are subject to Connecticut income tax. The bill extends the tax to also cover nonresidents' winnings from all other gambling activities that take place within Connecticut's borders, including at casinos on Indian reservations within the state. The bill applies the tax on both lottery and other gambling winnings to any amounts that federal tax law or regulations require a payer to report to the Internal Revenue Service (currently, any winnings over \$5,000) and eliminates the specific reference to taxation of lottery winnings over \$5,000.

EFFECTIVE DATE: July 1, 2002 and applicable to tax years beginning on or after January 1, 2002.

## **SECS. 82 & 83 – TAX AMNESTY**

### ***Taxes and Period Covered***

The bill requires the DRS commissioner to establish a tax amnesty program for anyone who owes state tax, other than motor carrier road tax, interest, or penalties for any taxable period ending on or before March 31, 2002. The amnesty runs from September 1 to November 30, 2002 and covers any taxable period before March 31, 2002 for which:

1. neither the taxpayer nor the DRS commissioner on his behalf filed a tax return (“nonfilers”),
2. the taxpayer underreported his tax and DRS did not examine the return (“under-reporters”),
3. interest or penalty was imposed for late payment or underreporting, or
4. interest or additional tax was imposed because the taxpayer failed to file and the commissioner filed a return for him.

### ***Amnesty Conditions***

The DRS commissioner must prepare an amnesty application requiring applicants to specify the tax and taxable period for which they seek amnesty. If a person files the application during the amnesty period and pays all the taxes he owes for the applicable tax periods, plus interest, the bill requires the commissioner to waive applicable civil penalties and refrain from seeking criminal prosecution for those periods.

If the commissioner grants amnesty, the affected taxpayer relinquishes all unexpired administrative and judicial appeal rights as of the payment date and the bill bars the taxpayer from receiving any refund or credit of amnesty tax payments.

Failure to pay all amounts due invalidates the amnesty. A taxpayer is not entitled, by virtue of penalty waivers and interest reductions under the amnesty, to any refund or credit of previously paid amounts.

### ***Interest***

Nonfilers and under-reporters must pay .75% interest for each month or part of a month from the original tax due date to November 30, 2002 and 1% per month or part of a month thereafter. A taxpayer who already owes interest or penalties for late or underreported taxes or because he failed to file and the commissioner filed a return for him, must pay interest of 1% per month or part of a month from the original due date to the payment date. But in the latter case, if the taxpayer pays the taxes and the 1% interest in full by November 30, 2002, he must pay only 75% of the interest shown in DRS’ records to be payable on the date he filed for amnesty for the affected tax periods.

### ***Exclusions***

The bill bars amnesty for those who (1) have received notice from DRS that they are being audited for the period for which they are seeking amnesty or (2) are parties to any criminal investigation or civil or criminal litigation pending on June 1, 2002 in any federal or state court for failure to file or pay or for state tax fraud.

### ***DRS Authority and Administrative Costs***

The bill gives the DRS commissioner authority to do what is necessary to implement the amnesty program and allows DRS to use up to \$2 million in revenues from the program to administer the bill's amnesty provisions.

EFFECTIVE DATE: Upon passage

### **SECS. 84-101 – DEPARTMENT OF ENVIRONMENTAL PROTECTION FEE INCREASES**

The bill increases a wide range of fish and wildlife license and permit fees, including those for sport hunting and fishing and various types of commercial fishing as shown in Table 5.

***Table 5: Current and Proposed Fees***

<b><i>Bill Section</i></b>	<b><i>License or Permit</i></b>	<b><i>Current Law</i></b>	<b><i>The Bill</i></b>
84	Resident firearms hunting	\$10	\$14
84	Resident fishing	15	20
84	Resident combination firearms hunting and fishing	21	28
84	Resident trapping	20	25
84	Nonresident firearms hunting	42	67
84	Nonresident fishing	25	40
84	Nonresident fishing for three consecutive days	8	16
84	Nonresident combination firearms hunting and fishing	55	88
85	Duplicate license to hunt, hunt and trap, or fish	5	7
86	Hunt fox or rabbits with organized pack of 10 or more hounds	25	35
87	Game breeder's license	15	21
88	Raw fur buyer - resident or nonresident	30	42
88	Resident raw fur buyer's authorized agent	20	28
89	Bait dealer	20	50
90	Nuisance wildlife controller	100	200
91	Regulated private shooting preserve	35	50
92	Turkey permit, tag, or stamp	10	14
92	Migratory game bird permit, tag, or stamp	2	3
92	Pheasant permit, tag, or stamp	10	14
92	Salmon permit, tag, or stamp	20	28

<b>Bill Section</b>	<b>License or Permit</b>	<b>Current Law</b>	<b>The Bill</b>
92	Wild turkey hunting permit	10	14
93	Hunting dog training permit	10	14
94	Field dog trial permit	5	7
95	Field dog trial where game will be shot		
	On state-owned land	20	28
	On private land	10	14
96	Taxidermy	60	84
97	Collect shellfish, crustaceans, and wildlife for scientific and educational purposes	10	20
98	Deer hunting with firearm		
	Resident	10	14
	Nonresident	30	50
99	Deer or small game hunting with bow and arrow		
	Resident	22	30
	Nonresident	44	100
100	Remove fish from private waters	50	70
101	Commercial blue crab	50	75
101	Take lobsters for personal use	50	60
101	Take lobsters, crabs (other than blue crabs), squid, sea scallops, and finfish by use of more than 10 lobster pots; by otter, balloon, or beam trawl; by sea scallop dredge; or similar device		
	Resident	150	225
	Nonresident	225	1,250
101	Register each pound net to take finfish	100	225
101	Resident (1) taking finfish other than shad or bait species by various devices for commercial purposes; (2) in any waters seaward of the inland demarcation line, taking such fish by hook or line for commercial purposes; or (3) taking horseshoe crabs by hand	50	150
101	Resident taking any fish for commercial purposes by hook and line in excess of creel limit	100	300
101	Take bait species by various means in the inland or marine district for commercial purposes	20	50
101	Buy finfish, lobsters, crabs, sea scallops, squid, or bait species from commercial fishermen for resale	25	200
101	Fishing party boat, head boat, charter boat registration	25	250
101	Land finfish, lobsters, crabs, sea scallops, squid, or bait species	225	400

EFFECTIVE DATE: January 1, 2003

**SECS. 102 & 131 – HUNTING AND FISHING GUIDE LICENSES**

The bill eliminates licenses for hunting and fishing guides and their authorized assistants. The fees are \$100 for a guide's license and \$50 for an assistant's license.

EFFECTIVE DATE: January 1, 2003

**SEC. 103-107 – COURT FEE INCREASES**

The bill increases various court fees as shown in Table 6.

**Table 6: Court Fee Increases**

<b>Section</b>	<b>Fee</b>	<b>Old</b>	<b>New</b>
103	Jury fee in civil actions	\$300	\$350
104	Small claims entry fee	30	35
105(a)	Motion to open, set aside, modify, or extend Superior Court civil judgment	60	70
105(b)	Motion to open or reargue civil appeal decided in the Appellate or Supreme Court	60	70
106	Application for personal property execution	10	20
107	Application for wage execution	10	20

EFFECTIVE DATE: July 1, 2002

**SECS. 108-117 - DRUNK DRIVING (DWI)*****BAC Threshold for DWI***

It is against the law to drive a motor vehicle (1) while under the influence of alcohol, drugs, or both or (2) with an "elevated blood alcohol content." The former offense may be prosecuted with or without any direct evidence of a person's BAC. For the latter, under current law, someone over age 21 is considered to be driving with an elevated BAC if he is found to have a .10% BAC for a first offense or a .07% BAC if he has a previous conviction for drunk driving. The bill lowers the standard from .10% to .08% BAC and eliminates the .07% standard for someone with a prior conviction, thus making the standard uniform for all offenses.

The bill also eliminates the infraction offense of operating while impaired by alcohol. This offense occurs when someone is found to have a BAC between .07% and .099%.

### ***Pretrial Alcohol Education Program***

Under current law, someone charged with DWI for the first time can apply to the court to participate in the Pretrial Alcohol Education Program. But drivers under age 21 charged under another law when found with BACs of .02% or more cannot apply. The bill eliminates this distinction so drivers under age 21 may qualify for the program if charged with a first offense under either law.

### ***Pretrial Alcohol Education Program Procedural Changes***

Under current law, when someone applies for the program, he pays a \$50 application fee. If the court grants the application, the person is referred to the Bail Commission for assessment and confirmation of eligibility. Once eligibility is confirmed, the applicant is referred to DMHAS for evaluation and placement in an appropriate alcohol program for one year. If the person's BAC was less than .16% he has to participate in at least 10 counseling sessions and pay a nonrefundable \$425 program fee. If his BAC was .16% or more, he has to participate in at least 15 counseling sessions and pay a \$600 program fee.

The bill makes several changes in these procedures. It:

1. requires an applicant to pay a nonrefundable \$100 evaluation fee in addition to the \$50 application fee when he applies for the program;
2. requires him to be referred to DMHAS for evaluation at the same time he is referred to the Bail Commission for assessment and confirmation of eligibility, rather than afterward;
3. requires the Bail Commission to receive the evaluation report before it refers him to DMHAS for placement in a program and specifies that the program must be an alcohol intervention program;
4. eliminates the minimum 15-session program for someone whose BAC is .16% or more while allowing such a program to be required based on the evaluation report and court order; and
5. reduces the program fees to \$325 for a 10-session, and \$500 for a 15-session, program, apparently reflecting the new up-front \$100 evaluation fee.

EFFECTIVE DATE: July 1, 2002

**SECS. 118-123** – Not included in this analysis.

### **SEC. 124 – GENERAL FUND TRANSFER**

The bill requires \$121.22 million to be transferred from the General Fund to the Mashantucket Pequot and Mohegan Fund for FY 2002-03, an increase of \$14.22 million in the estimate in the 2001-03 biennial budget.

EFFECTIVE DATE: Upon passage

**SEC. 125 – SPECIAL TRANSPORTATION FUND REVENUE**

The bill increases the total estimated FY 2002-03 Special Transportation Fund revenue from \$877.7 million to \$904 million, an increase of \$26.3 million over the revenue estimated in the 2001-03 biennial budget.

EFFECTIVE DATE: Upon passage

**Secs. 126–130** – Not included in this analysis.

**BACKGROUND*****Criminal and Administrative Sanctions for DWI Offenses***

The table below shows the criminal and administrative penalties that apply to drunk driving violations. All sanctions are mandatory.

***Drunk Driving-Related Sanctions and Penalties***

<b>ADMINISTRATIVE LICENSE SANCTIONS</b>			
	<b><i>First Offense</i></b>	<b><i>Second Offense</i></b>	<b><i>Third Offense</i></b>
Test Refusal	6 months	1 year	3 years
.02% BAC or higher-under age 21	90 days	9 months	2 years
.07% BAC or higher with prior conviction	90 days	9 months	2 years
.10% BAC or higher	90 days	9 months	2 years
.16% BAC or higher	120 days	10 months	2 years, six months
<b>CRIMINAL SANCTIONS</b>			
<b><i>First Offense</i></b>	<b><i>Second Offense</i></b>	<b><i>Third Offense</i></b>	
<u><i>Fine:</i></u> \$500-\$1,000 <u><i>Imprisonment:</i></u> Six months—48 hours minimum mandatory OR Suspended sentence with 100 hours of community service <u><i>License Action:</i></u> One-year suspension	<u><i>Fine:</i></u> \$1,000-\$4,000 <u><i>Imprisonment:</i></u> Two years—120 days minimum mandatory AND 100 hours of community service <u><i>License Action:</i></u> Three-year suspension (or until age 21 if longer)	<u><i>Fine:</i></u> \$2,000-\$8,000 <u><i>Imprisonment:</i></u> Three years—one year minimum mandatory AND 100 hours of community service <u><i>License Action:</i></u> Permanent revocation	